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March 31, 2004

The Honorable Bradley Smith
Chairman
Federal Election Commission
999 E Street, NW
Washington, DC

MUR #

Dear Chairman Smith,

Attached you will find a complaint filed by the Republican National Committee and Bush-Cheney '04, Inc. The activities of the various groups and individuals described in this complaint demonstrate a massive conspiracy to corrupt the federal campaign finance system.

These groups and individuals described herein have conspired to circumvent the law by creating a network of newly formed 527 political organizations working in complicity with other long established special interest groups and wealthy individuals to illegally raise and spend soft money while illegally coordinating their efforts in violation of 11 C.F.R. § 109.21, all with the express purpose of defeating President Bush. This massive ongoing effort has resulted in numerous violations of the Act.

These illegal activities are ongoing. It is clear from their own statements that these special interest groups and individuals will not stop their illegal efforts, especially since the Commission's powers do not include any relief that can be afforded until long after the election.

Even if the Commission were to expedite its proceedings, the administrative process under which the Commission must operate does not include timely relief. See 2 USC § 437g (a).

No penalty, civil or criminal, after the fact could possibly remedy the irreparable harm caused by allowing this illegal activity to continue unabated. These individuals and groups understand and appreciate that fact. Allowing this activity to continue would effectively destroy and make meaningless the campaign finance system mandated by Congress in 2002.

For these reasons, we respectfully request and urge the Federal Election Commission to dismiss this complaint at its next Executive Session meeting, in order to allow the complainants to seek immediate relief in the Federal District Court for the

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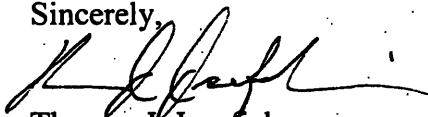
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District of Columbia. Such responsible final action by the Commission would legally allow Complainants to seek an immediate judicial remedy pursuant to 2 U.S.C. § 437g(a)(8) to this conspiracy of unprecedented proportions.

This action by the Commission would be unprecedented, but so is this matter. In this unique circumstance the Complainants respectfully submit that the Commission should follow the plain wording of 2 U.S.C. § 437g(a)(8) and dismiss this complaint, thereby allowing immediate judicial review. We respectfully submit that the Commission's mandate to enforce the Federal Election Campaign Act demands such extraordinary action.

The Complainants respectfully request that the Federal Election Commission consider the motion to dismiss pursuant to 2 U.S.C. § 437g(a)(8) at the next possible Executive Session.

Sincerely,



Thomas J. Josefiak
General Counsel

Cc: Commissioner Ellen L. Weintraub
Commissioner David M. Mason
Commissioner Danny L. McDonald
Commissioner Scott E. Thomas
Commissioner Michael E. Toner
Lawrence Norton, General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

COMPLAINT

RESPONDENTS

America Coming Together;

Moveon.org;

MUR No. _

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"[T]he McCain-Feingold goal and objective, which I support, is to eliminate altogether the capacity of soft money to play the role that it does in our politics." (Sen. John Kerry, Congressional Record, 3/27/01, p. S2930)

"In addition to the overwhelming amounts of soft money that were raised and spent in 2000, hundreds of millions of dollars were also spent on so-called issue ads. ... Those ubiquitous television ads are purchased by all kinds of organized special interests to persuade the American people to vote for or against a candidate. These ads, usually negative, often inaccurate, are driving the political process today. Do they violate the spirit of the campaign finance laws in this country? They certainly do." (Sen. John Kerry, Congressional Record, 3/20/02, p. S2149)

"[T]he post-Watergate campaign finance law capped individual contributions to candidates, parties and PACs. These limits were put in place after the country learned a hard lesson about the corrupting influence of money in politics." (Sen. John Kerry, Congressional Record, 4/3/01, pp. S3334-6)

"[I]n the post-Watergate era, we recognized that it was time to prevent secret stashes of cash from infiltrating our political system. We succeeded in that effort, and I believe the system worked reasonably well for some time, until the recent phenomena of soft money and sham issue advocacy overtook the real limits we had established for our campaign system." (Sen. John Kerry, Congressional Record, 4/3/01, pp. S3334-6)

Introduction

The use of soft money to influence a federal election is a clear violation of long-standing campaign finance law. The coordination of election activities between third-party groups and campaign committees is a clear violation of law. Despite these legal prohibitions, John Kerry's campaign is now benefiting from the largest illegal infusion of soft money from wealthy individuals, unions, corporations and other special interests in the post-Watergate era, and his campaign has unlawfully coordinated its activities with those activities of shadowy third-party groups.

Democratic special interest groups have created an illegal conspiracy of so-called section 527 political committees with the stated intent of injecting more than \$300 million of banned soft money into the 2004 election for the purpose of defeating President Bush and electing John Kerry.¹ The sponsors of the recently enacted Bipartisan Campaign Finance Reform Act ("BCRA") have

¹ In addition, the 527 soft money organizations have pledged to work with some two dozen liberal 501(c) special interest groups that have announced they will spend approximately \$200 million more towards their own traditional political organizational efforts to defeat President Bush. The 501(c) organizations are named in this complaint solely because of their activities as part of the 527 soft money network and not for their legitimate membership and grassroots lobbying activities as permitted under the Internal Revenue Code provision governing 501(c) organizations.

described the activities of the soft money 527 political committees as a clear violation of law. Senator McCain recently declared in testimony before the United States Senate Rules Committee, "Use of soft money by 527 groups whose major purpose is to effect federal elections is not legal."²

Faced with the reality that neither the Democratic party nor its Presidential candidate would have the financial resources to meet their needs with "hard" federal dollars, former aides and allies of the Democratic nominee have created a series of related committees funded with "soft dollars." This shadow Democratic soft money slush fund has already begun airing television and other advertisements and initiated voter mobilization programs to defeat President Bush and elect Senator Kerry. The Kerry campaign and the Democratic party have admitted that they are unable to pay for these activities with permissible hard dollars raised according to the Federal Election Campaign Act, as amended by BCRA (collectively, "the Act"). Simply put, the Kerry campaign and the Democratic party have been unable to fundraise to a level of hard dollars that they think is necessary for their campaign efforts. Instead, they have chosen to rely on an illegal conspiracy of donors and shadowy groups to defeat President Bush.

Despite being a sponsor of the 2002 Reform Act, Senator Kerry is now the largest direct beneficiary of illegal soft money in history. This illegal soft money conspiracy features the spending of hundreds of millions of illegal soft dollars for the purpose of influencing a federal election, the refusal of the 527 committees to register properly with the Federal Election Commission ("FEC"), impermissibly interlocking personnel, illegally coordinated soft money television buys, and illegally coordinated soft money voter mobilization activities. All are designed to defeat President Bush and elect John Kerry.

The scheme begins with wealthy political activists with special interest agendas who knowingly and willfully give donations prohibited by federal law to the soft money Section 527

² Statement of Senator McCain, U.S. Senate Committee on Rules and Administration, March 10, 2004.

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political committees for the express purpose of "defeating President Bush." The 527 groups then directly assist John Kerry's campaign for president with advertisements and voter mobilization programs through illegal soft money and coordination. Each facet of this conspiracy is illegal in isolation from the other parts of this soft money conspiracy. The wealthy contributors, the 527 groups, John Kerry's campaign are each potentially subject to both civil sanctions and criminal penalties. Taken together, they constitute an unprecedented criminal enterprise designed to impermissibly affect a presidential election.

As detailed below, the coordinated effort to use prohibited "soft money" as a slush fund for John Kerry's campaign constitutes a knowing and willful violation of the Act. In order to preserve the fundamental integrity of the nation's campaign finance laws, action must be taken with unprecedented speed to stop the perversion of the nation's election laws by the illegal use of soft money. This illegal operation must be shut down before it is allowed to further influence the 2004 election and render the notion of "campaign finance reform" a fraud.

Summary of Law and Violations

The soft money Section 527 organizations, soft money donors, the Kerry campaign and the Democratic party are knowingly and willfully violating numerous provisions of federal law. The perpetrators of these violations, the participants, and the beneficiary are subject to both civil sanctions and criminal penalties. The violations are:

First, the raising and spending of soft money by section 527 political committees for the express purpose of supporting John Kerry's campaign and defeating President Bush violates federal law because any expenditure for the purpose of influencing a federal election is subject to the limits and prohibitions of the Act. 2 USC §§ 441a and 441b. The organizers of these groups, the donors who knowingly and willfully made donations outside the limits of federal election law, and the beneficiaries of their activities are subject to penalties.

Second, the failure of soft money Section 527 organizations to register with the Federal Election Commission and their refusal to report their financial activities to the Federal Election Commission violate the disclosure provisions of federal law. 2 USC §§ 432, 433 and 434.

Finally, the 527 organizations' coordination of advertising and voter mobilization activities with John Kerry's campaign and the Democratic party is a violation of federal law. 2 USC § 441a.

The coordination is obvious from, among other facts, (1) how the media buys of the Kerry campaign are inextricably interwoven with the soft dollar buys from the 527s, which has allowed the Kerry effort to use illegal soft dollars to gain equal exposure with the Bush-Cheney hard dollar buy, and (2) the voter mobilization activities taken - and not taken - by the Democratic party structure. The structure of the illegal soft money network itself and the interlocking, dual relationships of the people involved make such illegal coordination inevitable.

Law

Under the Act, any entity that spends or raises more than \$1,000 in a calendar year³ “for the purpose of influencing any election for federal office”⁴ must register as a federal political committee with the Commission. Use of soft money by 527 groups for the purpose of influencing federal elections is a violation of the Act.⁵ These groups are required to operate under the contribution limits, source prohibitions and reporting requirements of the Act.

A committee airing ads or conducting voter mobilization activities aimed at influencing a federal election cannot select whether or not it is a federal political committee that must register - its actions determine its status under the law.⁶ This filing requirement is not self-selecting. By their very nature and activities, the 527 political committees named in this complaint exist to influence federal elections. As organizations whose “major purpose is the nomination or election of a candidate,” expenditures by these committees “can be assumed to fall within the core area sought to be addressed by Congress. They are, by definition, campaign related.”⁷

Those seeking to exert influence over federal officeholders and candidates, the Supreme Court predicted, would turn to political committees which exist for the express purpose of the influencing the election or defeat of federal officeholders. The Supreme Court noted, “federal candidates would be just as indebted to these contributors as they had been to those who had formerly contributed to the national parties.”⁸

³ 2 U.S.C. § 431(4).

⁴ 2 U.S.C. § 431(9)(A)(i).

⁵ See, Statement of Senator John McCain, Senate Committee on Rules, March 10, 2004.

⁶ While BCRA did not change the threshold monetary amounts, it did broaden the standards applied in certain areas and the Supreme Court in December of 2003 affirmed this expansion. See 2 U.S.C. § 431(20)(A)(iii), 2 U.S.C. § 434(f)(3) and *McConnell v. FEC*, 540 U.S. ___, 124 S.Ct. 619 at 675 n. 64 (2003).

⁷ *Buckley v. Valeo*, 424 U.S. 1, 79 (1976); see also *McConnell*, 124 St. Ct. at 678 n.67 (emphasizing that “section 527 political organizations are, unlike 501(c) groups, organized for the express purpose of engaging in partisan political activity.”)

⁸ *McConnell v. FEC*, 124 S.Ct. at 673.

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An "expenditure" under the Act "includes payments," 11 CFR § 100.110(a), "made by any person for the purpose of influencing any election for federal office." 11 CFR § 100.111(a). *Buckley v. Valeo*, 424 U.S. 1 at 44, held that this meant "communications that in express terms advocate the election or defeat of a clearly identified candidate for federal office." The *Buckley* Court limited express advocacy to "magic words" such as "vote for," "elect," "support," "cast your ballot for," "Smith for Congress," "vote against," "defeat," "reject." *Id.* at fn. 52. The *McConnell* Court recently expanded the types of communications that are regulated by the Act holding that advertisements that "promote, support, attack or oppose" a clearly identified federal candidate "undoubtedly have a dramatic effect on federal elections" and can be regulated without violating the First Amendment. *McConnell*, 124 S.Ct. at 675.

At issue in this complaint is the meaning of "for the purpose of influencing any election for federal office." Prior to *McConnell v. FEC*, 540 U.S. ___, 124 S.Ct. 619 (2003), the lower courts had interpreted this phrase to mean communications that involved only "express advocacy" using *Buckley*'s "magic words." The lower courts had nearly universally understood this to be a constitutional limitation. But the *McConnell* Court ruled that, "the unmistakable lesson from the record in this [BCRA] litigation, as all three judges on the District Court agreed, is that *Buckley*'s magic-words requirement is functionally meaningless." *McConnell*, at 689.

Given this analysis by the majority, dissenting Justice Thomas noted, the holding in *McConnell* that the "express advocacy test" was no longer a constitutionally mandated limit meant that *McConnell* effectively overruled lower court decisions applying and upholding *Buckley*'s "express advocacy" standard. *McConnell*, 124 S.Ct. at 737 (Thomas, J., dissenting). See, e.g., *Clifton v. FEC*, 114 F.3d 1309, 1312 (CA1 1997); *Vermont Right to Life Comm., Inc. v. Sorrell*, 221 F.3d 376, 387 (CA2 2000); *FEC v. Christian Action Network, Inc.*, 110 F.3d 1049, 1064 (CA4 1997); *Chamber of Commerce v. Moore*, 288 F.3d 187, 193 (CA5 2000); *Iowa Right to Life Comm., Inc. v. Williams*, 187 F.3d 963, 968-970

(CA8 1999); *Citizens for Responsible Govt. State Political Action Comm. v. Davidson*, 236 F.3d 1174, 1187 (CA10 2000); cf. *FEC v. Furgatch*, 807 F.2d 857, 862-863 (1987).

At the same time that the Supreme Court eschewed the express advocacy standard, it affirmed in the context of "federal election activity" that the test of "promote, oppose, attack, and support clearly set forth the confines [,] provides explicit standards for those who apply them and gives the person of ordinary intelligence a reasonable opportunity to know what is prohibited." *McConnell*, at 675 n. 64 (internal quotations omitted). By adopting this standard, the *McConnell* Court expanded the reach of the Act beyond "express advocacy."

The Commission affirmed in February of this year that the Act required any communication which "promotes, supports, attacks or opposes" a federal candidate to fall under the "hard dollar" rules of the Act. AO 2003-37. The Commission, citing *McConnell*, at 675 n. 64 (2003), held that communications referring to a clearly identified federal candidate that promote, support, attack or oppose that candidate are for the purpose of influencing a federal election. "[C]ommunications that promote, support, attack or oppose a clearly identified Federal candidate" have a "dramatic effect" on federal elections. AO 2003-37, at 3.

In AO 2003-37, the Commission told Americans for a Better Country ("ABC"), a Section 527 organization, that it could not use donations from individuals in excess of the Act's limits or from prohibited sources for communications that "promote, support, attack or oppose" a candidate for federal office. AO 2003-37, at 9-10.⁹ AO 2003-37 reaffirmed the Act's threshold requirement as

⁹ The full text of the question and the FEC's answer follows:

3. You indicate that ABC may fund a communication that states: "President George W. Bush, Senator X and Representative Y have led the fight in Congress for a stronger defense and stronger economy. Call them and tell them to keep fighting for you." May ABC pay for this communication containing no express advocacy solely with donations from individuals that exceed the Act's limitations?

No. If the communication meets the criteria of an electioneering communication, it must be treated as an expenditure when made by a political committee. ...

to when a 527 organization becomes a federal committee by restating its long-standing requirement that any group that raises or spends more than \$1,000 for the purpose of influencing a federal election is required to register and become a federal committee.

In Advisory Opinion 2003-37, the Commission advised ABC that the section 527 committee could not solicit non-federal funds in fundraising communications that conveyed ABC's support or opposition to a specific federal candidate. AO 2003-37, p. 19-20. The Commission determined that 2 U.S.C. § 431(8) means that federal political committees can only raise funds using such solicitations if the funds are subject to the prohibitions and limitations of the Act.

In addition, the Commission found that communications for a 527 committee's voter identification, voter registration, or get-out-the-vote purposes that are not coordinated with a candidate and that do not refer to any federal candidate still must use federal funds in proportion to the number of federal and non-federal candidates on the piece or on the handout since the activities are for the purpose of influencing a federal election. See 11 C.F.R. § 106.1. The communications at issue here go much further.

The Commission has determined that soliciting soft money "by using the names of specific Federal candidates in a manner that will convey [its] plan to use those funds to support or oppose specific federal candidates..." constitutes an illegal contribution subject to the Act's contribution

Even if it does not have all the characteristics of an electioneering communication, it still must be treated as an expenditure and paid for entirely from ABC's Federal account for the following reasons. The communication you intend to produce would promote or support candidates for Federal office by proclaiming that those candidates have "led the fight in Congress for a stronger defense and stronger economy." As explained above in the introduction to the legal analysis, a payment for a communication that promotes, supports, attacks, or opposes a clearly identified Federal candidate is "for the purpose of influencing a Federal election" when made by a political committee and is therefore an "expenditure" within the meaning of 2 U.S.C. § 431(9) that must be paid for entirely with Federal funds. Moreover, there is no basis under 11 CFR § 106.1 for allocating the costs of this communication between ABC's Federal and non-Federal accounts, because the communication refers only to Federal candidates. Nor is allocation between ABC's Federal and non-Federal accounts permissible under 11 CFR § 106.6. Those allocation provisions explicitly do not cover candidate-specific communications. See 11 CFR § 106.6(b)(2)(i) and (iii). Consequently, because the payments for the communications you propose to run will be expenditures regulated under the Act, ABC must pay for these ads entirely with funds that comply with the Act's various limitations, including individual contribution limitations.

and source limitations. AO 2003-37, pp. 19-20. Such solicitations, the Commission determined, violate federal law. 2 U.S.C. § 431(8).

Coordination

Under the recently enacted Bipartisan Campaign Finance Reform Act, an expenditure becomes "coordinated" if each part of a 3-part test is met: the communication is paid for by someone other than the candidate, the candidate's committee, a political party or agent of any of the three and it satisfies the "content standard" and "conduct standards" set forth in Commission Regulations. 11 CFR § 109.21(a).

The "content standard" of 11 C.F.R. § 109.21(c) is satisfied when the communication is: 1) an "electioneering communication"; 2) the redistribution to the public of campaign material (with a few exceptions); 3) express advocacy of a clearly identified federal candidate; or 4) a "public communication" mentioning a political candidate distributed to the general public, 11 C.F.R. § 100.26.

The "conduct standard" is satisfied when the communication is: 1) made at the request or suggestion of the candidate, candidate's committee, political party committee or its agent; 2) the candidate, candidate's committee, political party committee or its agent are materially involved in certain decisions about the communication; 3) substantial discussions occur between the person paying for the communication or employees or agents of that person and the candidate, the candidate's committee, political party committee or agents; 4) made using a common vendor and the vendor uses or conveys information between the candidate or political party and the person paying for the communication; 5) made using a former employee of the candidate, candidate's committee or political party committee and information is used or conveyed to the person paying, or 6) redistribution of campaign material. 11 C.F.R. § 109.21(d).

The "former employee" standard was adopted by the Commission "to address what it

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understands to be Congress' primary concern, which is a situation in which a former employee of a candidate goes to work for a third party that pays for a communication that promotes or supports the former employer/candidate or attacks or opposes the former employer/candidate's opponent."¹⁰ This prong of the conduct test includes a temporal component requiring that the previous employment take place during the same election cycle as the current employment.¹¹ The Commission has explained that this "time limit establishes a clear boundary based on an existing definition and ensures that there is a clear link between the conveyance or use of the material information and the time period in which that material might be relevant."¹² Further, the Commission has held that to the extent that actions "result in a coordinated communication within the meaning of 11 CFR § 109.21, the payment for such communications would constitute an in-kind contribution to a candidate for Federal office or to a political party committee. Such contributions must be paid for entirely with Federal funds and are subject to...contribution limits under 2 U.S.C. § 441a(a)(1) or (2)." AO 2003-37.

¹⁰ Explanation and Justification, "Independent and Coordinated Expenditures," 68 F.R. 438, January 3, 2003.

¹¹ 11 C.F.R. § 109.21(d)(5)(i).

¹² Explanation and Justification, "Independent and Coordinated Expenditures," 68 F.R. 438, January 3, 2003.

Violations

Specifically, the soft money conspiracy of section 527 political committees - in effect, a shadow Democratic party taking over the role of the Democratic national party committees through the use of illegal funds - is knowingly and willfully violating the Act by:

- Raising and spending soft dollars from sources prohibited by the Act and in amounts in excess of the Act's limitations for the purpose, by the admission of the groups' organizers and their major donors, of defeating President Bush;
- Using these illegal soft dollars to pay for broadcast communications and voter mobilization activities all designed and executed for the purpose, by the groups' own admissions, of influencing a federal election;
- Refusing to register with and report to the Federal Election Commission despite meeting the plain statutory definition of "political committees" by virtue of their activities and stated purpose;
- Knowingly soliciting donors for contributions not permitted by the Act for the purpose of influencing a federal election through defeat of a federal candidate;
- Subjecting their soft money donors to knowing and willful violations by soliciting the donors for "soft money" contributions and the donors knew that their donations would be used to "defeat President Bush" and otherwise influence a federal election;
- Illegal "coordination" with the Kerry campaign through current party officials and former employees. This illegal coordination results in the activities of the "soft money" committees being illegal and prohibited contributions to the Kerry campaign. As detailed below, examples include a recent coordinated media buy between the Kerry campaign and MoveOn.org so that the organizations improperly pooled soft dollars to match a Bush-Cheney '04 hard dollar advertising buy violating 11 C.F.R. § 109.21.

As a result, this complaint is filed against all tentacles of the illegal Democratic soft money slush fund scheme, including the 527 entities, the individuals who have organized and managed this illegal soft money scheme as identified herein, and the donors to the groups who knew their contributions in excess of the limits and outside the prohibitions of federal law would be used to influence a federal election. Since all of these organizations and individuals have formed an alliance to defeat President Bush and interact regularly and admittedly coordinate with each other, if any part of the web illegally coordinates, the entire operation is operating illegally.

The principle beneficiary of this illegal infusion of soft money into the Presidential election is the John Kerry for President Committee, Inc. Kerry's committee has also violated the law by illegally coordinating various activities through individuals who are a part of this shadow soft money Democratic party and, therefore, accepting illegal contributions.

Purpose Behind the Conspiracy

"Liberals Form Fund to Defeat President; Aim is to Spend \$75 Million for 2004"

"Labor, environmental and women's organizations, with strong backing from international financier George Soros, have joined forces behind a new political group that plans to spend an unprecedented \$75 million to mobilize voters to defeat President Bush in 2004." (Thomas B. Edsall, Washington Post, Aug. 8, 2003, p. 3)

"Foes of Bush Form PAC in Bid to Defeat Him"

"The leaders of five groups with strong ties to Democratic causes announced today that to help offset Republican advantages in organizing and fundraising, they were joining to form a political action committee aimed at defeating President Bush next year." (New York Times, Aug. 8, 2003)

From its inception,¹³ the defeat of President Bush in the 2004 federal election has been the purpose of the soft money conspiracy of organizations.

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Ellen Malcolm, president of Emily's List, which supports pro-choice Democratic candidates, is also a founding member of the shadow Democratic party scheme and president of the voter mobilization group Americans Coming Together (see below). Malcolm minced no words about the

¹³ The *Washington Post* reported on May 25, 2003: "Major liberal organizations, from labor unions to civil rights groups, have begun to meet privately to develop a coordinated strategy to oppose President Bush's reelection in 2004. Their goal is to buttress the Democratic party and its nominee by orchestrating voter mobilization and independent media in as many as a dozen battleground states." Thomas B. Edsall, "Liberals Meeting To Set '04 Strategy," *The Washington Post*, May 25, 2003.

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purpose of the shadow soft money committees: "We have to find ways to come together to do lots of the pieces of the presidential campaign, because the party will not have the soft money to use. We on the Democratic side are looking for effective ways to do the work of delivering the message and getting out the vote that used to be done by the party," said Malcolm of EMILY's List. Malcolm and her organization, having acquired a reputation for tactical sophistication, are leading several new efforts, launched in July, aimed at bringing liberal-leaning groups together to register and turn out voters."¹⁶

ACT, Malcolm said at the group's kick-off press conference, would conduct "a massive get-out-the-vote operation that we think will defeat George W. Bush in 2004."¹⁷ The New York Times reported that those organizations who joined the 527 soft money conspiracy "share a belief that they have no time to spare in the drive to defeat him [President Bush]."¹⁸

along with Malcolm.

¹⁶Julie Kosterlitz, "On The Ropes?" *The National Journal*, Sept. 6, 2003.

¹⁷Thomas Edsall, "Liberals Form Fund To Defeat President; Aim Is to Spend \$75 Million for 2004," *Washington Post*, Aug. 8, 2003; *see also*, Jeannie Cummings, "Democrats Launch Group To Combat Bush Cash Hoard," *Wall Street Journal*, Aug. 8, 2003.

¹⁸Michael Janofsky, "Foes of Bush Form PAC in Bid to Defeat Him," *New York Times*, Aug. 8, 2003.

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Donors have also admitted that they were solicited and gave soft money contributions illegal under the Act for the express purpose of defeating President Bush and influencing a federal election. Billionaire financier George Soros, who at the time had pledged \$12.5 million to shadow soft money organizations, has long championed an "open society" and reduced penalties for illegal drug possession. He has made no secret that his sole purpose in contributing is to defeat the President in the upcoming federal election, telling the Washington Post he would spend his entire \$7 billion fortune to defeat President Bush "if someone guaranteed" the outcome.²³ Soros also wrote: "I and a number of other wealthy Americans are contributing millions of dollars to grass-roots organizations engaged in the 2004 presidential election [ACT and MoveOn.org]. We are deeply concerned with the direction in which the Bush Administration is taking the United States and the world."²⁴ In Soros' own words, donors were giving illegal soft money contributions with the expressed purpose of defeating a federal candidate - a clear cut violation of the Act. *See also* Laura Blumenfeld, "Soros' Deep Pockets v. Bush," Washington Post, Nov. 11, 2003 ("For Soros, defeating Bush is the 'central focus' of his life and 'a matter of life and death'"); Associated Press, Aug. 8, 2003 ("Billionaire Commits \$10 M to Defeat Bush" - "President Bush is leading us in the wrong direction," Soros said in a written statement. 'ACT is an effective way to mobilize civil

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²³ Laura Blumenfeld, "Soros' Deep Pockets Vs. Bush," *The Washington Post*, Nov. 11, 2003; See also Susan Milligan, "Soros Presses Anti-Bush Effort," *The Boston Globe*, March 22, 2004 ("I have made the rejection of the Bush doctrine the central project of my life for the next year...and that is why I am ready to put my money where my mouth is.")

²⁴ George Soros, "Why I Gave," *Washington Post*, December 5, 2003, p. 31.

society, to convince people to go to the polls and vote for candidates who will reassert the values of greatest open society in the world.”)(emphasis added)²⁵

Thus, the major (if not sole) purpose of all the groups and individuals named in this complaint is influencing a federal election through soft money 527 organizations and defeating a Presidential candidate. As such, they are violating the law by not operating under the hard money limits and source prohibitions of the Act, and by not registering their 527 committees with the FEC.

²⁵ Soros recruited fellow billionaire, Peter Lewis of Cleveland, to contribute to the soft money 527 organizations for the specific purpose of defeating President Bush. The Cleveland, Ohio Plain Dealer reported: “Peter B. Lewis, the Cleveland-based insurance billionaire and philanthropist, has pledged more than \$12 million to try to oust President Bush from the White House. ... The groups - MoveOn.org and Americans Coming Together - will try to motivate people to register and vote, using newspaper ads, television and radio commercials, e-mail, and public appearances to make their case.” Stephen Koff, “Lewis Pledges \$12 Million To Oust Bush,” [Cleveland, OH] *Plain Dealer*, Nov. 12, 2003.

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The Structure of the Soft Money Conspiracy

Faced with a new campaign finance law they feared put them at a disadvantage, veterans of Democratic presidential and congressional campaigns, including that of John Kerry's, have created a network of illegal soft money organizations whose actions are designed to improperly influence federal elections.

Funded by wealthy individuals and special interest groups who all wish to affect government policies for their favored agendas, this network of 28 organizations has constructed an elaborate scheme to allow the unprecedented flow of illegal soft money to impact the 2004 Presidential and other federal elections. Aimed at taking over the hard dollar work of the national Democratic party structure, the 527s specific activities and publicly announced budgets include:

- a massive voter registration and mobilization drive budgeted at \$98 million in 17 battleground states among currently unregistered voters aimed at identifying and turning out only those who will vote against President Bush almost entirely funded with soft money;
- a soft money broadcast advertisement program budgeted at \$140 million designed to work in coordination with the limited resources of the Kerry campaign to use soft dollars to attack President Bush and match the all-hard dollar advertising effort of Bush-Cheney '04 and the Republican Party structure;
- an organizing group (budgeted at \$3 million) funded with soft money to control the \$250 million anti-Bush and pro-Kerry broadcast advertising and voter mobilization efforts of two dozen special interest groups;²⁶

²⁶ Lorraine Woellert, "The Evolution Of Campaign Finance?" *BusinessWeek*, September 15, 2003, p. 62.

- soft dollar 527 political committees with a combined budget of \$37 million whose purpose is to register and turn out minority voters to vote against President Bush and for Senator Kerry and;

- soft money Spanish-language TV ads budgeted at \$12 million designed to influence the Presidential election with anti-Bush and pro-Kerry messages.

Groups Composing the Illegal Soft Money Conspiracy

At the center of carrying out this soft money conspiracy are 527 political committees and service entities that control the activities of the others. The are responsible for and coordinating other groups according to their tasks:

voter identification and turnout (ACT, headed by Malcolm and Steve Rosenthal, former political director of the AFL-CIO

In addition, communications, polling, research and rapid response is under the direction of Thunder Road, headed by Jim Jordan, Kerry's campaign manager until November 2003 and previously the director of Senator Kerry's leadership PAC, the Citizen Soldier Fund. Fundraising is done through a joint fundraising committee (Joint Victory Campaign 2004, a joint fundraising committee, under the direction of Malcolm and Rosenthal).

Each one's stated purpose is the defeat of President Bush.

America Coming Together

- > Projected Budget: \$98 million²⁸
- > Ellen Malcolm, president of Emily's List
- > Steve Rosenthal, former political director of the AFL-CIO.

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²⁸ Harold Meyerson, "Judging Terry," *The American Prospect*, Dec. 3, 2003 ("ACT - which has received \$10 million donations from several wealthy individuals, including George Soros - is budgeted to spend \$98 million.").

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> Purpose: to identify, persuade, and turn out Democratic-leaning voters in 17 key states through house-to-house canvassing and high-tech means with the express purpose of defeating President Bush.²⁹ According to the ACT website, ACT is the “new foot soldiers of the progressive movement. We are dedicated to defeating George W. Bush.”³⁰ ACT has filed as a federal political committee with the FEC; however, while it states that it is “dedicated” to defeating a federal candidate, the federal share it pays for these activities is 2 percent, with 98 percent of the costs paid for with soft dollars.³¹

²⁹ America Coming Together Website, <http://www.americacomingtogether.com>, (Accessed February 18, 2004). (“A new political action committee, America Coming Together (ACT), will undertake a substantial effort in 17 key states to defeat President George W. Bush and elect progressive officials at every level in 2004, and to engage and mobilize millions of voters on key public issues. ... The 17 states ACT will target are: Arizona, Arkansas, Florida, Iowa, Maine, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Mexico, Ohio, Oregon, Pennsylvania, Washington, West Virginia and Wisconsin. ‘ACT is launching the largest field operation this country has ever seen,’ said Andy Stern. ‘We will be going door-to-door to let people know what the Administration’s record really is on the bread-and-butter issues that voters care about.’” (America Coming Together Website, <http://www.americacomingtogether.com>, Accessed February 18, 2004).

³⁰<http://www.Americacomingtogether.com> (Accessed March 10, 2004).

³¹ See Schedule H2, America Coming Together Year-End Report. Compare the language of the “solicitations that we would propose to direct, in the form of letters, to a list of potential progressive donors” ACT submitted in a now withdrawn FEC Advisory Opinion Request 2004-5 with the actual letter it sent:

FEC Advisory Opinion Request: “I would like to ask you to consider making a major difference to our country’s future - at a critical time, when it faces historic challenges, and also dangers. I would like to ask you to make a difference, by helping a new national progressive organization, America Coming Together (ACT). ACT is a national political organization dedicated to an historic registration and get-out-the-vote effort to turn out a huge progressive vote in November.”

Actual letter (Attachment B): “Are you ready to go for it, prepared to lay everything on the line to win in 2004? I hope so. Because, if we can count on your personal support and active participating, 2004 will be a year of *America Coming Together* and George W. Bush going home. To keep their grasp on the White House and win other critical House, Senate and local races, the Bush campaign and the Republican National Committee are amassing a political fortune. By Election Day, they will have raised and spent over half a billion dollars to hold onto power. **We can’t match them dollar-for-dollar. But, we can - and must - match them door-for-door.**” (emphasis in original)

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Other Groups

Several other section 527 committees are coordinating their illegal soft money activities as part of the shadow Democratic soft money slush fund.

MoveOn.org: This organization, which has a federal committee registered with the FEC, has illegally used its non-federal account to pay for extensive ad buys.⁴⁰ Each of its ads is designed to

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⁴⁰ MoveOn.org fits squarely under FEC Advisory Opinion 2003-37 to Americans for a Better Country, and as such is knowingly and willfully refusing to conduct all its activities designed to influence a federal election from its federal account. Its use of its soft money 527 committee to air its ads directly contradicts the holding of AO 2003-37.

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"attack or oppose" President Bush,⁴¹ and therefore constitutes illegal expenditures of soft dollars in an attempt to influence a federal election. Estimates of the amount of time actually bought vary, but appear to be about \$10 million,⁴² including a recent nationwide buy coordinated with simultaneous buys by the Kerry campaign

In addition, MoveOn.org has made no secret of its ongoing communications with Democratic party officials⁴³ and the elected Democratic leadership in the Senate and House.⁴⁴ The Kerry campaign website even lists events such as an "East Bay for Kerry / MoveOn.org House Party" attended by Teresa Heinz-Kerry (in person) and John Kerry (who participated by conference call).

⁴¹ MoveOn.org Voter Fund "Strategy" Memo: "Our Objective Is To Challenge George Bush's Policies And Record In Order To Reduce Support For His Re-Election In 2004." (MoveOn.org Voter Fund Website, <http://www.moveonvoterfund.org/strategy.html>, Accessed March 10, 2004); See Beth Fouhy, "MoveOn.org Becomes Anti-Bush Online Powerhouse," *The Associated Press*, Jan. 10, 2004 ("MoveOn.org Running '\$15 Million Advertising Campaign To Defeat President Bush.' " "MoveOn is now poised to be one of the Democrats' most effective fundraising vehicles during this year's presidential campaign. It has already raised millions to support candidates and fund ads such as the one criticizing Bush's \$87 billion commitment to rebuilding Iraq. In November, billionaire philanthropist George Soros and his business partner, Peter Lewis, pledged a \$5 million matching grant - a dollar for every two raised by MoveOn members - to create a \$15 million advertising campaign to defeat President Bush.")

⁴² Chuck Raasch, "Liberal Group Running New Anti-Bush Ads In 5 Swing States," *Gannett News Service*, Dec. 3, 2003 ("The ads are part of what MoveOn.org says will be at least a \$15 million campaign stretching into March. ... MoveOn.org is financed in part by a \$5 million pledge from billionaire George Soros and insurance magnate Peter Lewis. The controversial Soros has also pledged millions of dollars to another anti-Bush group, Americans Coming Together, whose principal organizers include former Clinton adviser Harold Ickes.")

MoveOn.org Voter Fund Has Spent Over \$9 Million On Anti-Bush Ads Since November 2003. "MoveOn, the left-leaning activist group, said on Wednesday that it would start another round of advertising against President Bush this week, bringing to more than \$9 million the amount it says it has spent since November on television commercials attacking Mr. Bush." (Jim Rutenberg, "Activist Group Plans New Ads Attacking Bush In Swing States," *The New York Times*, February 12, 2004)

⁴³ David Jackson, "Internet Group Mobilizes Broad Base For Political Activism," *The Dallas Morning News*, Oct. 26, 2003 ("MoveOn officials have talked to a variety of party officials about organizing and fund-raising next year.")

⁴⁴ John Cochran, "Internet-Based Activist Group Puts Powerful Spin On Politics," *CQ Weekly*, Oct. 3, 2003 ("A day or so later, Senate Democrats announced that they had invited Boyd to lunch on Capitol Hill on Sept. 18. Hurricane Isabel forced them to cancel the date, but they intend to reschedule. ... House Democrats also have taken note. Rep. Robert T. Matsui of California, chairman of the Democratic Congressional Campaign Committee, and Minority Leader Nancy Pelosi of California were among several House Democrats who met with MoveOn in June. What they see is a potential ally that could help them move votes and frame issues - as well as a template for the party's own organizing activities.")

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Environment 2004: Former Clinton Administration officials have formed a soft money 527 group in the belief that "Bush's approach to logging, protection of endangered species, air and water pollution, toxic waste and global warming will be decisive campaign issues next year in swing states." The group is headed by Carol Browner, who served as Administrator of the EPA under President Clinton.⁴⁷ The group's email solicitation demonstrates that its purpose is influencing a federal election: "As the Democratic Party closes in on selecting its nominee, the 2004 Presidential election will enter a critical new phase. The primaries have given the Democratic contenders a lot of media attention, but they have been expensive, draining the finances of all the candidates. Meanwhile, Bush/Cheney '04 has raised over \$131 million to spend entirely on defeating the Democratic nominee. ... We are beginning our campaign in New Hampshire, using the same successful model we employed in our Florida launch. ... New Hampshire is a critical state. In 2000, Democrat Al Gore lost the state by a mere 7,211 votes. With your help, we can reach important swing voters and make the difference in 2004."⁴⁸

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⁴⁷ Scott Maben, "Anti-Bush Effort Coming to Lobby Oregon Voters, Environmentalists," *Eugene Register Guard*, Oct. 23, 2003; See IRS Form 8871 for "Environment2004" included in Attachment H.

⁴⁸ Environment 2004 email, February 26, 2004 (included in Attachment H).

Individual Participants in the Soft Money Conspiracy

"If somehow 'coordination' with the party becomes a wink and a nod, it would render our efforts really meaningless," says Senator Russ Feingold (D-Wis.), who sponsored reform legislation with Senator John McCain (R-Ariz.)

BusinessWeek, Sept. 15, 2003

This complaint outlines a conspiracy where the individuals who have organized and managed this illegal soft money scheme and the donors to the groups who knew that their excessive or prohibited contributions would be used to defeat President Bush, have knowingly and willfully violated federal election law. Since all of these 527 organizations have formed an alliance to defeat President Bush, interact regularly and admit they coordinate with each other, if any part of the web illegally coordinates, the entire operation is operating illegally.

The ties between the leaders of the shadow web organizations, the Kerry campaign, the Democratic National Committee and the Democratic senatorial and congressional committees run deep - as deep as their commitment to defeat President Bush. In fact, one of the first things Malcolm did after ACT and the other groups were formed was call DNC Chair Terry McAuliffe "to tell him about the group."⁴⁹ The interlocking leadership among the soft money 527 organizations includes ties that demonstrate impermissible coordination with the Kerry campaign and the Democratic party, and demands immediate action. See 11 C.F.R. § 109.21. This apparent coordination renders all of the soft money spent to influence the Presidential election an excessive and prohibited contribution to Kerry for President.

The principle beneficiary of this illegal infusion of soft money into the Presidential election is John Kerry and John Kerry for President, Inc. Kerry's committee has also violated the law by illegally coordinating various activities with individuals who are a part of the web.

⁴⁹ Sharon Theimer, "Broad Effort Emerges to Help Democrats Cope with Loss of Soft Money," Associated Press, Aug. 13, 2003.

The key individual leaders of the Democratic soft money conspiracy and the key coordinators of the effort are:

- Steve Rosenthal - former political director of the AFL-CIO, is in charge of the illegal soft money slush fund's voter mobilization efforts, specifically through ACT. ACT has registered a federal account with the FEC. However, it claims a fictional 2 percent

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federal and 98 percent soft allocation ratio, while claiming for fundraising purposes that its avowed purpose is the defeat of President Bush.

- Ellen Malcolm - the president of Emily's List, is responsible for raising funds and organizing efforts for the soft money conspiracy.

- Jim Jordan - John Kerry's former Presidential campaign manager and longtime confidant is now in charge of public communications and public relations for ACT and ⁵² He managed all aspects of Kerry's presidential campaign until November of 2003, thus clearly indicating illegal coordination. As Kerry's campaign manager up until six weeks before he began working with the illegal 527 committees, the plans or needs of the Kerry campaign that Jordan brings to the soft money organizations constitutes illegal coordination under the Act and results in an impermissible contribution to the Kerry campaign.

Commenting after FEC AO 2003-37 provided notice that the committees he represents had restrictions on their activities, Jordon said, "We'll be plowing forward as planned. It's clear that today's action is limited in its scope. We remain confident that we'll have the room to operate robustly and effectively."⁵³

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⁵³ Glen Justice, "The 2004 Campaign: Fund-raising," *New York Times*, Feb. 19, 2004.

- Minyon Moore - both a Kerry campaign consultant and a member of ACT's Executive Committee.⁵⁴ She is also the former chief operating officer of the DNC.

⁵⁴ America Coming Together Website, <http://www.americacomingtogether.com/about/#who>, Accessed Feb. 5, 2004 ("Moore Serves On Executive Committee Of America Coming Together"); Glen Johnson, "Kerry To Press 'Environmental Justice,'" *The Boston Globe*, April 22, 2003; Jonathan Tilove, "For Black Democrats, No Great White Hope So Far," *Newhouse News Service*, July 15, 2003.

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- Andy Grossman - left his position as Executive Director of the Democratic Senatorial Campaign Committee in February 2004. He now works with Jim Jordan at Thunder Road for the Media Fund, ACT and America Votes. Grossman, by virtue of the position as DSCC Executive Director in this election cycle, was an agent of federal campaigns and learned of the plans, needs and strategies of the Democratic party and its candidates. In addition, he helped devise the plans and strategies that Democratic party campaign officials are using to carry out Senate, House, and Presidential election strategies this election cycle, providing further evidence of coordination.
 - Eli Pariser - key staff member for MoveOn.org who has simultaneously participated in supposedly independent broadcast advertisements attacking and opposing President Bush as part of the soft money 527 shadow scheme while at the same time writing fundraising letters directly for the John Kerry for President campaign.⁶² He is also the "campaign director" for MoveOn.org Voter Fund, the soft money 527 organization that is running the broadcast ads.⁶³

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⁶² John Mercurio, "Money Matters As Race Gets Under Way," *CNN.com*, March 4, 2004 ("Some help is coming from two major, if predictable, groups - the Democratic National Committee and the MoveOn.org political action committee - which are firing off separate fund-raising letters on Kerry's behalf to as many as 4 million donors. ... 'The big question is whether Kerry will have the resources in this key moment to powerfully respond to the Republican attacks and present his positive vision for our country,' [MoveOn.org's Eli] Pariser wrote in his fund-raising appeal. 'Together, we can answer this question. If you've been holding off on contributing to a presidential campaign, now's the time to jump in. We have a Democratic nominee, and he needs our support today.'")

⁶³ See MoveOn.org Voter Fund, "MoveOn.Org Voter Fund Calls For Justice Dept. Investigation Of Administration's Illegal Use Of Government Funds For Bush 'Re-Election Ads,'" Press Release, <http://www.moveonvoterfund.org/cbsrelease.html>, Feb. 26, 2004.

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Donors to the Soft Money Conspiracy: Special Interests' Soft Money Funding

The common trait among the shadow soft money network's financial supporters is that each individual or organization has a special interest agenda that it wants to enact, and that is opposed by the Bush Administration. The shadow 527s use of illegal soft money for the purpose of influencing a federal election is precisely what the Act prohibits. The notion that BCRA has somehow broken the "link to elected officials" and that the "pressure to give has greatly diminished" is belied by reality.⁶⁴

The financial supporters of the Democratic shadow web organizations have all been quite vocal in publicizing the soft money scheme. John Kerry and all Democratic candidates and officials are aware of their role through, at the least, media reports.⁶⁵ The shadow network's visible support for Kerry's candidacy will place these financial supporters and their special interest agenda in a position to exert as much influence on administration and congressional policies should their efforts to influence a federal election succeed as any party soft money donor ever could. This is exactly the type of large donations from wealthy individuals which occurred during the Watergate era that resulted in the passage of the original Federal Election Campaign Act and the recently enacted BCRA.

The simple truth is that special interests - from wealthy individuals who want to weaken anti-drug laws (Soros, Lewis)⁶⁶ to anti-war groups (MoveOn.org)

⁶⁴ Cf. Thomas E. Mann and Norman Orenstein, "So Far, So Good on Campaign Finance Reform," *Washington Post*, March 1, 2004.

⁶⁵ Several Democrat Members of the House and Senate indicated publicly that they are well aware of the activities of these soft money 527 organizations. See February 12, 2004 letter from Senator Daschle, et. al., to the Commission and February 10, 2004 letter from Representative Pelosi, et. al., to the Commission, attached hereto as Attachment 1.

⁶⁶ "527 Update: Peter Lewis and the Marijuana Policy Project," Center for Responsive Politics, www.opensecrets.org (visited March 16, 2004); "Soros, Lewis Push Campaign Law Limits in Effort to Defeat Bush," Bloomberg News Service, Oct. 28, 2003; Paul Crespo, "Big-money radicals give to Democrats," *Miami Herald*, Dec. 10, 2003; John K. Careisle, "George Soros' Plan to Defeat George Bush," *Human Events*, March 1, 2004.

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- have, through their creation of the shadow network of illegal soft money organizations, replaced the old Democratic party structure with an illicit soft money machine.⁶⁷ Through an active public relations operation headed by former Kerry campaign manager Jim Jordan, this coalition of liberal special interest groups and wealthy individuals - each with a policy agenda it wishes to enact - has made it well known to Kerry and all Democratic candidates that they are spending vast amounts of soft money to aid the electoral efforts of John Kerry and other Democratic candidates. The claim that BCRA has somehow broken the chain between federal candidates and soft money special interest groups is belied daily by news of yet more special interest group soft money activities on behalf of Kerry's campaign, and against the President's campaign.

⁶⁷ E.g. Jim Drinkard, "With new law, GOP Routs Democrats," *USA Today*, Aug. 21, 2003, p.1A; Anne-Marie O'Connor and Ronald Brownstein, "Hollywood Political Event Stirs Up Storm," *Los Angeles Times*, Dec. 3, 2003; Chris Cillizza, "527s Thrived in 2003," *Roll Call*, Feb. 2, 2004

Activities of the Soft Money Conspiracy

According to numerous newspaper accounts,

MoveOn.org,

are using illegal soft money to pay for broadcast messages designed to impact the Presidential election. These groups are using illegal soft money to fund their advertising campaign and are illegally coordinating their efforts with the Kerry campaign.⁶⁸ In addition, the soft money organizations that comprise the conspiracy are making an illegal soft money contribution to the Kerry campaign by conducting voter mobilization and registration activity designed to impact a federal election with illegal soft money and without properly registering with the Commission as political committees. As is clear from numerous press reports, the activities of ACT and the other soft money registration and turnout committees are designed to use illegal soft money to improperly influence a federal election through the defeat of President Bush. As such, they should be registered as federal political committees with the FEC.⁶⁹

Along with ACT,

⁶⁹ For example, in Ohio, while claiming no coordination, the Associated Press recently reported: "[T]he Ohio Democratic Party has benefited so much from ACT and other groups that it has decided to skip a voter registration drive. 'We are not doing voter registration because we have all these groups working our base,' [Ohio Democratic Party] Chairman Denny White said. 'But we will spend our resources on communicating with Democrats' already in their database.'" "Soft-money groups' workers try to reach left-leaning voters in Ohio," Associated Press, March 28, 2004.

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recruited pledges of \$50,000 each from

MoveOn.org,

League of Conservation Voters,

and ACT.

.. Its goal is to

turn out swing voters in presidential target states to defeat President Bush.⁷¹

Based on media reports the shadow Democratic party soft money slush fund operates as follows:

Located two floors apart in a Washington, D.C. office building located across the street from the headquarters⁷², the shadow organizations run their operations. The mission of the web is to bring together major supporters of liberal issues and causes, including unions, as detailed above, to form groups that will run broadcast communications and mobilize voters through voter

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registration and GOTV efforts to defeat President Bush and to aid the Democratic nominee and other Democratic candidates.

Its communications - both for fundraising and political purposes - use the name of President Bush, and in some instances Senator Kerry. Most contain express advocacy. All solicitations make clear that all funds raised will be used to defeat President Bush at the polls in an effort to discontinue his policies. Similarly, the voter registration messages in its door-to-door operations urge people to register in order to vote to defeat President Bush. And its television communications,

an expression of express advocacy that is a direct exhortation to take action that could only be taken at an election.⁷³

That the web of organizations is specifically accepting soft money contributions to defeat President Bush is clear from the contributions involving George Soros. Soros, in explaining his contributions to ACT and MoveOn.org, candidly said: "Defeating George Bush is the central focus of my life."⁷⁴ In addition, Soros has been involved in contributing directly to Kerry's presidential campaign and those of several of his rivals.⁷⁵

Armed with the largest infusion of illegal soft money since the Watergate era, the Democrats' shadow soft money slush fund network has devised a plan to spend upwards of \$300 million through entities that should be registered as federal political committees subject to the hard money contribution limitations and source restrictions of the federal election laws to impact the 2004 federal elections, especially the Presidential contest. These groups are also coordinating

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⁷⁴ Laura Blumenfield, "Soros's Deep Pockets vs. Bush," *Washington Post*, Nov. 11, 2003; George Soros, "Why I Gave," *Washington Post*, Dec. 5, 2003.

⁷⁵ Laura Blumenfield, "Soros's Deep Pockets vs. Bush," *Washington Post*, Nov. 11, 2003.

improperly with the purpose of defeating President Bush, electing Senator Kerry and influencing federal elections through soft money broadcast advertisements and voter mobilization activities.

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Legal Analysis: Soft Money

Donors to the Soft Money 527 Scheme Committed Knowing and Willful Violations By Giving Contributions They Knew to be Outside the Federal Limits for the Purpose of Defeating President Bush.

The list of donors whose contributions to the soft money 527 organizations were illegal under the Act's contribution limits and source prohibitions are listed in Attachment P. These donors knew that their contributions were not permitted under federal law but would be used for the purpose of electing or defeating a federal candidate. Evidence of the donor's knowledge can be found in the standard solicitation used by ACT which identify their intent to use the money raised to defeat President Bush.

Pages 41-45 redacted.

America Coming Together Is Violating The Act By Using Soft Money To Register Voters For The Express Purpose Of Influencing The Presidential Election.

ACT is filed as a federal political committee with the FEC. Yet it is conducting massive voter mobilization efforts in 17 Presidential target states using 98 percent soft dollars for the express purpose of defeating a federal candidate in flagrant disregard of Advisory Opinion 2003-37. Since ACT fits squarely within this ruling, its knowing and willful disregard of the law requires immediate action.

ACT's own website makes clear that the purpose behind its current voter registration and identification work and its turnout work next fall is a "substantial effort in 17 key states to defeat President George W. Bush."⁹⁶ Not coincidentally, these are the same states targeted by the Kerry campaign and the same states in which MoveOn.org assisted the Kerry campaign's first television buy. As ACT's organizer in the Presidential battleground state of Ohio told Fortune Magazine: "ACT already has get-out-the-vote specialists canvassing homes in Ohio to identify the most virulent opponents of the President. ... The object...is to register 200,000 new voters in all 88 counties and target each of them with the kind of information that will propel them to the polls on Election Day."⁹⁷

To be able to carry out its activities with the resources it has available to it, ACT contradicted its own stated purpose by submitting a stunningly untruthful federal/non-federal

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⁹⁶ America Coming Together, www.americacomingtogether.com (Accessed Feb. 18, 2004).

⁹⁷ Jeffrey H. Birnbaum, "The New Soft Money," *Fortune*, Nov. 10, 2003.

allocation ratio of 2 percent federal and 98 percent non-federal, a clear violation of 11 C.F.R. § 106.6, given their self-described purpose of influencing a federal election by attacking and opposing President Bush.⁹⁸

In AO 2003-37, the Commission told Americans for a Better Country, which also both registered with the FEC and had soft dollar components, that it could not raise non-federal funds in solicitations that conveyed its support or opposition to a specific federal candidate. *Id.* at 19-20, citing 2 U.S.C. § 431(8). ACT fits squarely under AO 2003-37, yet continues to disregard with apparent impunity the clear dictates of the Commission about the way it must pay for its mobilization and fundraising practices.

ACT's purely federal purpose is evident both in its soft dollar fundraising (in conjunction with Joint Victory Committee 2004) and through its website and mail solicitations.

⁹⁹ Reports indicate that similar fundraising events have been held "to solicit donors in other cities, including Seattle and New York...."¹⁰⁰

ACT's website proclaims its opposition to President Bush's reelection. On its opening page, it says, "America Coming Together (ACT) will conduct a massive voter contact program, mobilizing voters to defeat George W. Bush and elect progressive candidates all across America."¹⁰¹ At the top of its on-line donation page which solicits both hard and soft dollars, ACT says, "I am strongly committed to kicking George W. Bush out of the White House and electing progressive candidates

⁹⁸ See footnote 30; See also Greg Sangillo, "A More Democratic Union," *National Journal*, March 20, 2004, at p.900 ("Campaign finance watchdogs complain that because ACT is so open about its aim of defeating President Bush, all of its contributions should be counted as 'hard money', and therefore subject to the standard campaign contribution limits.")

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¹⁰⁰ *Id.*

¹⁰¹ See <http://www.americacomingtogether.com> (visited February 24, 2004)

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across America! Please use my contribution to invest in political work to restore democracy in 2004!"¹⁰²

Furthermore, a recent written solicitation confirms that ACT describes its purpose as raising funds outside of the prohibitions and limitations of the Act while advocating the defeat of George W. Bush. The attached solicitation makes statements such as "if we can count on your personal support...2004 will be a year ofGeorge W. Bush going home" and "we will have defeated George W. Bush." Their "organizational plan" attached to their solicitation indicates that "we know how many votes we need to defeat President Bush...and we're organizing a massive, interconnected program of voter contact to go out and find those votes." Their response device also states, "I want to...defeat George W. Bush." This violates the principle laid out by the Commission in AO 2003-37. The Commission indicated that only donations subject to the prohibitions and limitations of the Act may be raised when indicating opposition to a clearly identified federal candidate. AO 2003-37, p. 19-20.

Given the interpretation of 2 U.S.C. § 431(8) provided to ABC, it is clear that ACT is violating the Act by raising soft-money in a solicitation that expressly advocates the defeat of President Bush.

Further, ACT's own documents indicate that the organization plans to violate the principles and willfully ignore the interpretation of the federal election laws provided by the Commission with respect to voter registration and turnout operations. ACT's "Action Plan" says, "Each state director will build a detailed plan and strategy to match the specific circumstances of his or her state....We know how many votes we need to defeat President Bush and elect progressive candidates and we're organizing a massive, interconnected program of voter contact to go out and find those

¹⁰² See <http://www.americacomingtogether.com/donate> (visited February 24, 2004)

votes....And, that's just what our America Coming Together strategy is all about. **And a one-way ticket back to Crawford, Texas.**"¹⁰³

The Commission recently held that voter contact and get-out-the-vote activity which includes express advocacy of the defeat of a federal candidate could not be paid for without using a significant portion from federal funds (in other words, not the 2 percent ACT is claiming).¹⁰⁴ In addition, media reports confirm that ACT's purpose in conducting its activities is to defeat President Bush.¹⁰⁵

As a matter of law, ACT submitted a knowingly false estimate of its federal / non-federal allocation ratio. Commission regulations require that political committees engaged in federal and non-federal activities must allocate their federal and non-federal payments based on a ratio of federal to non-federal election disbursements. 11 CFR § 106.6. The year-end report filed by ACT reports its expected federal allocation at 2%. This is knowingly false in light of ACT's own public statements describing its purpose. The attached solicitation letter and description of their activities is almost entirely focused on federal elections, clearly identifies several candidates for federal office and lays out a specific plan to defeat George W. Bush.¹⁰⁶ There is no mention at all of any specific

¹⁰³ See Attachment B, pp. 3-4 (emphasis in the original).

¹⁰⁴ The Commission stated in AO 2003-37:

8. May ABC use non-Federal funds to pay for voter registration and get-out-the-vote public communications that clearly identify a Federal candidate and that expressly advocate his election or defeat or otherwise promote, support, attack, or oppose the candidate? ...

No. Some of the messages contain specific phrases such as "vote for George W. Bush for President," or "It's your duty to register to vote so that you can support George Bush's reelection as President of the United States." These communications constitute express advocacy under 11 CFR § 100.22(a). Other messages refer directly to an explicit act of support for a clearly identified candidate, such as "If you care about keeping the strong defense President Bush has put in place, go out and vote November 2." These messages promote, support, attack, or oppose a clearly identified Federal candidate. Other messages promote, support, attack, or oppose a clearly identified Federal candidate in a different way. These include messages such as "President Bush has led the fight in Congress for a stronger defense and economy. Call him and tell him to keep fighting for you."

¹⁰⁵ John DiStaso, "NH seen as swing state," The Union Leader, February 24, 2004. ("A newly formed nationwide independent political organization [ACT] has set shop in Manchester's Millyard to promote 'progressive' candidates and convince voters to reject Bush in November.")

¹⁰⁶ See Attachment B.

non-federal candidate. Based on ACT's actual activities, this ratio should be reversed and 98 percent of ACT's spending should be considered to be for federal election activities.

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Legal Analysis: Coordination

John Kerry For President Accepted An Illegal Soft Money Contribution From Moveon.Org By Illegally Coordinating Their March 10-19 Television Buys In Violation Of 11 C.F.R. § 109.21.

A cursory review of the \$5.1 million combined television buy of John Kerry for President, and MoveOn.org in early and mid-March demonstrates that Kerry accepted, and MoveOn.org made, a prohibited soft money contribution by illegally coordinating their joint media buy.¹⁰⁷

These buys ran in the battleground states from March 10 to March 19 and coincided with all-hard dollar Bush-Cheney '04 buys. and MoveOn.org used illegal soft dollars to purchase their shares of the buy that benefited the Kerry campaign, through ads that "attacked" and "opposed" President Bush. As such they constituted prohibited contributions to the Kerry campaign. Even if and Moveon.org had used all hard dollars to purchase time, these buys would still have been excessive contributions under 11 C.F.R. § 109.21 since they were illegally coordinated.

The cash strapped Kerry campaign, faced with a broader Bush-Cheney '04 buy paid for entirely with funds raised under the limits and prohibitions of the Act, turned to the Democratic soft money groups. Bush-Cheney '04 began advertising on television in 80 markets on March 4. Between March 10 and March 13, John Kerry for President, and MoveOn.org placed advertising in 53 of these 80 markets.

An analysis of the television buy data of John Kerry for President, and MoveOn.org indicates the level of coordination among and between the soft money shadow groups and the Kerry campaign in their effort to defeat President Bush. As the chart below demonstrates,

¹⁰⁷ See Attachment J.

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there is near perfect uniformity in markets that the three groups decided to buy - and not buy. In other words, wherever one went the others were sure to go in an effort to use soft dollars to counter a hard dollar Bush-Cheney '04 buy.

There was an overlap in 38 of 39 markets (97.5%) in which the groups bought time. Under this coordinated system, the shadow groups and Kerry campaign decided to advertise in the markets they determined were key to the Kerry vote. The groups determined not to try to match the Bush-Cheney '04 buy in every market, but only in some. Under their system, and MoveOn.org bought time, and two to three days later the Kerry campaign came in and bought the remaining time the three entities pre-determined were needed.

A breakdown of the three parties' overlapping buys shows that and/or MoveOn.org advertised in only 14 markets where Kerry did not buy. Furthermore:

- MoveOn.org advertised in only 9 non-Kerry markets as part of their most recent buys
-
- MoveOn.org alone advertised in only 1 non-Kerry market as part of its most recent buy.

The chart below summarizes this coordinated buy:

As Attachment J shows, the two soft money committees and John Kerry for President also divided up the day parts in a coordinated effort to have an anti-Bush/pro-Kerry message from one of the groups on the air to counter Bush-Cheney '04 in their selected markets.¹⁰⁸ This strategy of dividing up the buys in markets key to them allowed Kerry and the soft money groups to stretch their individual buys in an attempt to counter the Bush-Cheney '04 buy.

To counter the Bush-Cheney '04 hard dollar buy, John Kerry for President spent only \$1,994,290 in hard dollars; and MoveOn.org spent \$1,185,132 in illegal soft dollars to air messages which either attacked or opposed President Bush or promoted or supported John Kerry. As a communication which mentioned only federal candidates from groups whose stated purpose is to defeat the President, and MoveOn.org ads should have been paid for with all hard dollars and not coordinated. Since both and MoveOn.org are political committees and their ads promote, support, attack or oppose a clearly identified federal candidate for, by their own admission, the purpose of

¹⁰⁸ Source: New York Times, March 27, 2004.

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influencing a federal election they were required, but failed, to use hard dollars. See AO 2003-37 at 9. The scripts of the ads are included as Attachment K.

Under BCRA's coordination rules, it does not matter if the coordinated buy was the product of an overall agreed upon system for buying time, or the transference of plans and needs about this specific buy. The self-evident truth is that coordination occurred to enable the Kerry campaign to stretch its scarce hard dollars by having to buy only a portion of the market, while the soft dollar

MoveOn.org (by their own admission working with each other to avoid duplication) paid for the rest of the anti-Bush/pro-Kerry messaging in other coordinated markets. This pattern of dividing up the time was replicated in state after state for this buy.

The totality of the buy orchestrated by John Kerry for President, and MoveOn.org constitutes a per se violation of 11 C.F.R. § 109.21.

The Various Roles of the Individuals Involved Demonstrates a Willful Disregard for the Law and Constitutes Per Se Coordination.

In addition to using illegal soft money to influence a federal election and refusing to register as a political committees with the FEC, the interlocking relationships among the John Kerry for President Committee, the illegal 527 soft money organizations and the Democratic party provide blatant examples of impermissible coordination that renders most of the 527 groups' activities illegal contributions to the Kerry campaign. While former Kerry campaign manager Jim Jordan provides the most visible example, there are numerous other relationships that violate BCRA's coordination regulations, as demonstrated below. See 11 C.F.R. § 109.21.¹⁰⁹

Under the coordination test implemented as a result of BCRA, if the payment and content standards are met, the existence of former employees is among the tests that satisfy the "conduct" prong. To satisfy the "former employee" standard of 11 C.F.R. § 109.21(d)(5): (1) the communication by the 527 organization must be paid for by the employer of the person who used to work for the candidate (here Kerry's campaign) or a political party or an agent of either during "the current election cycle," and (2) that former employee "uses or conveys" to the entity paying for the communication information about the identified candidate's (here Kerry's) "plans, projects, activities, or needs, ... or a political party committee's campaign plans, projects, activities, or needs" or "information used by the former employee in providing services to the candidate (or campaign) who is clearly identified in the communication ... is material to the creation, production, or distribution of the communication."

Under this tough standard, if Jordan, used any information they learned while working for Kerry or the Democratic party in any way for the soft money groups the conduct standard is met. It is virtually impossible for someone in Jordan's or

¹⁰⁹ See pp. 51-61.

position to not meet this standard given that the information that they learned while working for the candidate or Party is intertwined with what they are doing for the soft money groups

This is precisely what ACT, and the other soft money 527s are doing in their individual communications and activities. What is clear is that the shadow Democratic network of soft money 527s are doing precisely what the Kerry campaign needs them to do on a daily basis.

Jim Jordan's Employment for ACT and ACT Make Their Expenditures Illegally Coordinated with John Kerry for President

The case of Jim Jordan demonstrates how the illegal coordination works:

As manager of the John Kerry for President campaign until late November 2003, and now a principle official of the 527 soft money organizations ACT and Jordan is the prototype of the "agent" and "former employee" upon which the FEC regulations prohibiting coordination are patterned. As such ACT and are guilty of violating the Act and 11 C.F.R. § 109.21.

ACT: By its own admission, ACT's purpose is voter mobilization efforts to defeat President Bush. It has hired field representatives to organize GOTV activities in only the Presidential "battleground" states for the upcoming election.¹¹⁰ And, its own solicitation letters describe its purpose as defeating President Bush.¹¹¹

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Under the new BCRA provisions, an expenditure becomes "coordinated" if a 3-part test of 11 C.F.R. § 109.21 is met.¹¹² As Kerry's campaign manager until only four months before the Media Fund aired ads that benefited Kerry and ACT registered voters in the name of defeating President Bush, Jordan's activities and employment are a per se violation. As campaign manager, his knowledge of the Kerry campaign's plans, needs and strategies cannot be divorced from the decisions he now makes daily based on information brought to the Media Fund and ACT in their \$350 million effort to defeat President Bush.

As a matter of law, Jordan's involvement with ACT meet the requirements for illegal coordinated soft money communications with John Kerry for President. All three prongs of 11 C.F.R. § 109.21 are met:

Payment

and ACT are third party groups paying for ads that criticize President Bush, Senator Kerry's opponent in the November election, thus satisfying the payment prong of 11 C.F.R. § 109.21(a)(1).

Content Standard

The activities of ACT the content standard. 11 CFR § 109.21(a)(2). ACT's attached solicitation is both express advocacy of the defeat of President Bush, 11 C.F.R. § 109.21(c)(3), and a public communication meeting the requirements of 11 C.F.R. § 109.21(c)(4).

¹¹² See pp. 12-13.

Jordan's employment as Kerry's campaign manager until November 2003 amounts to a clear violation of the conduct standard. By definition, he certainly knew, and likely formulated, the Kerry campaign's "plans, needs and strategies" for this period after the nomination. Even if Kerry's ultimate victory in the primary period was not clear, the campaign certainly gave consideration to the time period between securing the nomination and the nominating convention because the Kerry campaign eventually rejected taking matching funds. It is evident that sufficient contacts exist to demonstrate coordination between the Kerry campaign and the soft money organizations.

As a matter of law, his current employment with ACT and his recent role as a former employee of John Kerry's Presidential campaign, meets the requirements for coordination through a "former employee" established by the Commission in 11 CFR § 109.21(d)(5). The Commission concluded that: "This coordination standard also applies to the employer of an individual who was an employee or independent contractor of a candidate, authorized committee, or political party committee. The Commission interprets the Congressional intent behind § 214(c)(3) of BCRA to encompass situations in which former employees, who by virtue of their former employment have been in a position to acquire information about the plans, projects, activities, or needs of the candidate's campaign or the political party committee, may subsequently use that information or convey it to a person paying for a communication."¹¹⁴ Under

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Virginia (May 11) all have prima

¹¹⁴ See Explanation and Justification, "Coordinated and Independent Expenditures," 68 F.R. 438 (January 3, 2003) (emphasis added).

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this legal standard, both Jordan and his employers have violated BCRA's coordination rules,

Other Examples of Illegal Coordination Through "Former Employees"

In addition to there are numerous additional examples of persons privy to John Kerry for President's "plans, projects, activities, or needs" or the Democratic party's "plans, projects, activities, or needs" or ACT's, or others of the Democrats illegal 527 committees "plans, projects, activities, or needs" who, during the course of this election cycle, are now working in such a manner that they render all of the 527 organizations' activities illegal by reason of improper coordination under 11 C.F.R. § 109.21.

In light of the well orchestrated section 527 scheme that clearly benefits the plans and mirrors the needs of the Kerry campaign and Democratic party at the conclusion of their primary process, there intertwining relationships and contacts indicate that proper separation has not been kept under the new BCRA standards. As detailed above, the following individuals and groups have overlapping roles leading to violations of the coordination rules:

- **Minyon Moore**, during this election cycle, is both a Kerry campaign consultant and a member of ACT's executive committee. It is implausible that she could avoid "using" or "conveying" information she learned in one role from influencing her thinking and decisions in her other role.

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- Andy Grossman and [redacted] worked for the Democratic party's senatorial and congressional committees (respectively) in this election cycle before joining the staffs of the shadow 527 soft money groups. Any transference of information from their previous employers that results in activity that helps Senate or House candidates would constitute illegal coordination.

- 27944172060
- MoveOn.org is simultaneously airing soft dollar issue ads that promote, attack, support or oppose a federal candidate, and sending out fundraising mail for the John Kerry for President campaign. Any contacts between the two while engaging in the different roles that transfers any political plans, needs, projects or activities of the other is a violation of FEC regulations. MoveOn.org's compliance is problematic since Eli Pariser, as noted above, is charge of both the hard dollar and soft money activities of MoveOn.org. In addition, MoveOn.org is claiming its broadcast ads are "independent" of the Kerry campaign, while at the same time hosting joint Kerry/MoveOn.org "House Parties."¹¹⁵

¹¹⁵ See p. 25 and Attachment G.

Legal Analysis: Other Soft Money Violations

League of Conservation Voter's Express Advocacy of John Kerry's Candidacy With Illegal Soft Money Constitutes A Prohibited Corporate Expenditure

As the Supreme Court detailed in *McConnell v. FEC*, 540 U.S. ___, 124 S.Ct. 619 (2003), there are long-standing prohibitions on corporate expenditures and they have been upheld repeatedly. The League of Conservation Voters ("LCV") is a corporation not registered as a political committee with the FEC and, as a result, LCV is prohibited from making expenditures within the meaning of the Act. While it may try to claim an exclusion under "MCFL," contributions from an incorporated entity such as a foundation would permanently taint LCV's eligibility for a "MCFL" exemption.

LCV's enclosed advertisement is express advocacy under the Act, both before and after passage of BCRA. The ad refers to two clearly identified candidates for federal office, George Bush and John Kerry. The ad, when viewed "by a person of ordinary intelligence" *McConnell* at 675, n. 64, is clearly express advocacy of John Kerry's candidacy. The ad opens with the following audio: "In the race for President, there's only one candidate who can take on President Bush...."¹¹⁶ Further into the ad, the announcer says, "To beat him...the Democrat with the best record....John Kerry."¹¹⁷ Under both the original and new tests for express advocacy set forth by the Supreme Court, this advertisement constitutes express advocacy paid for in part with corporate funds from the numerous foundations.

¹¹⁶ See enclosed CD-ROM of advertisement from the start until 5 seconds into the ad.

¹¹⁷ See enclosed CD-ROM of advertisement from 0:20 through 0:26.

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Relief Sought

The activities of the various groups and individuals described in this complaint demonstrate a massive conspiracy to corrupt the federal campaign finance system, a finance system mandated by the 2002 Bipartisan Campaign Reform Act amendments and constitutionally sanctioned by the Supreme Court in *McConnell v. FEC*. These groups and individuals have conspired to circumvent the law by creating a network of newly formed 527 political organizations working in complicity with other long established special interest groups and wealthy individuals to illegally raise and spend soft money, and coordinating their efforts, all with the express purpose of defeating President Bush. This massive ongoing effort has resulted in numerous violations of the Act including 2 USC §§ 432, 433, and 434, by failing to establish, register and report as federal political committees by some, and 2 USC §§ 441a and 441b by making or receiving excessive and/or prohibited contributions by all.

These illegal activities are ongoing. It is clear from their own statements that these special interest groups and individuals will not stop their illegal efforts, regardless of what deliberative action the FEC might take. Even if the Commission were to expedite its proceedings, the administrative process required under the Act insures that no final action by the FEC would be timely and before the conclusion of this presidential election cycle under these circumstances. (see 2 USC § 437g (a)). No penalty, civil or criminal, after the fact could possibly remedy the irreparable harm caused by allowing this illegal activity to continue unabated. These individuals and groups understand and appreciate that fact. Allowing this activity to continue would effectively destroy and make meaningless the campaign finance system mandated by Congress in 2002 and would further add to the cynicism of the American electorate regarding the FEC's regulation of illegal money in politics.

Because these special interest groups and individuals remain defiant and because the Commission's own legally mandated process will not result in a timely resolution of this complaint,

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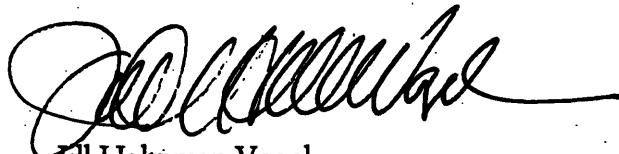
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we respectfully request and urge the Federal Election Commission to dismiss this complaint at its next Executive Session meeting, in order to allow the complainants to immediately seek relief in the Federal District Court for the District of Columbia. Such responsible final action by the Commission would legally allow Complainants to seek an immediate judicial remedy. 2 UCS § 437g(a)(8). This action by the Commission would be unprecedented, but the matter before the FEC is unprecedented. In this unique circumstance the Complainants respectfully submit that the Commission should take this unprecedented action which is, in our view, the only available responsible action, and dismiss this complaint allowing for immediate judicial review. We respectfully submit that the Commission's mandate to enforce the Federal Election Campaign Act demands such extraordinary action.

Respectfully Submitted,



Thomas J. Josefiak
General Counsel
Bush-Cheney '04, Inc.



Jill Holtzman Vogel
Chief Counsel
Republican National Committee

Verification

Jill Holtzman Vogel, hereby verifies that the statements made in the above complaint are, upon information and belief, true.

Sworn to pursuant to 18 U.S.C. § 1001.

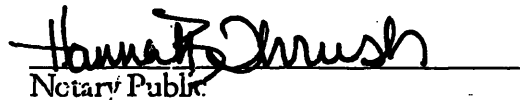


Jill Holtzman Vogel

District of Columbia

The foregoing instrument was subscribed and sworn before me this 31 day of March, 2004 by

Jill Holtzman Vogel

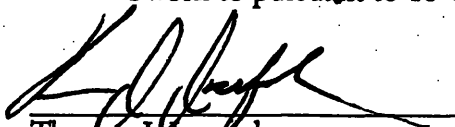

Notary Public

My commission expires July 31, 2007

HANNAH B. THRUSH
NOTARY PUBLIC DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES JULY 31, 2007

Thomas J. Josefiak, hereby verifies that the statements made in the above complaint are, upon information and belief, true.

Sworn to pursuant to 18 U.S.C. § 1001.

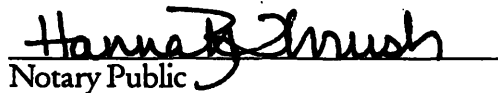


Thomas J. Josefiak

County of Arlington
Commonwealth of Virginia

The foregoing instrument was subscribed and sworn before me this 31 day of March, 2004 by

Thomas J. Josefiak


Notary Public

My commission expires July 31, 2007

HANNAH B. THRUSH
NOTARY PUBLIC DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES JULY 31, 2007

Attachment A

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**Statement of Senator John McCain, Senate Committee on Rules
Wednesday, March 10, 2004**

In its recent opinion in *McConnell v. FEC*, the Supreme Court wisely noted that money, like water, is going to seek a way to leak back into the system. We already see that. Now that the parties have been taken out of the soft money business, there are efforts by political operators to redirect some of that money to groups that operate as political organizations under Section 527 of the IRS Code, or so-called "Section 527" groups.

The game is the same: these groups are raising huge corporate and union contributions, and multi-million dollar donations from wealthy individuals, and want to spend that money on so-called "issue" ads that promote or attack federal candidates, and voter mobilization efforts intended to influence federal elections.

The tax laws say that a 527 group is a "political organization" that is organized and operated primarily for the purpose of influencing the election of candidates.

In other words, any 527 group is by definition in the business of political campaigns, and it has voluntarily sought the tax advantages conferred on political groups. But these groups should not then be permitted to shirk their other obligations, including those under the campaign finance laws.

Use of soft money by 527 groups whose major purpose is to effect federal elections is not legal. This is not a matter of the Reform Act of 2002; it is a fundamental rule of federal election law since 1974. That law, as construed by the Supreme Court in *Buckley v. Valeo*, requires any group that has a "major purpose" to influence federal elections, and spends \$1,000 or more to do so, to register with the Federal Election Commission as a "political committee," and be subject to the contribution limits, source prohibitions and reporting requirements that apply to all political committees.

That 527s have been allowed for years by the FEC to operate outside of the law is not surprising. In *McConnell*, the Supreme Court stated, in no uncertain terms, how we ended up in the soft money crisis to begin with. The Justices placed the blame squarely at the doors of the FEC, concluding that the agency had eroded the prohibitions on union and corporate spending through years of bad rulings and rulemakings, including its formulas for allocation of party expenses between federal and non-federal accounts.

The Supreme Court stated in *McConnell* that the FEC had "subverted" the law, issued regulations that "permitted more than Congress . . . had ever intended", and, with its allocation regime, "invited widespread circumvention of FECA's limits on contributions."

What we need today is for the FEC to enforce the law the way it should be enforced. This is what the FEC rulemaking is about. The FEC has been wrong with respect to its treatment of 527s for years, and the agency needs to get its house in order fast, and make clear that a section 527 group - a group that has voluntarily identified itself for tax law benefits as a "political organization" -

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must comply with the federal election laws when its major purpose is to influence federal elections.

Section 527 groups need to play by the rules that all other political committees are bound by, the rules that Congress has enacted to protect the integrity of our political process - they need to raise and spend money that complies with federal contribution limits and source prohibitions for ads they run that promote or attack federal candidates or otherwise have the purpose to influence federal elections, and they need to spend federal funds for voter mobilization activities that are conducted on a partisan basis and are intended to influence federal elections. Just like every other political committee.

Let me also say that the FEC in this rulemaking must change its absurd allocation rules. Under these rules, a committee that wants to manipulate the law can arrange its activities to spend 100 percent soft money for voter drive efforts that obviously are for the purpose of influencing federal elections. Indeed, one of the 527 groups operating today - America Coming Together, or ACT - has made overwhelmingly clear that its principle purpose is to defeat President Bush. Yet ACT recently filed a report with the FEC in which it claims that under the Commission's existing allocation rules, it can fund its voter drive activities with 98 percent soft money. This is ridiculous, and it makes a mockery of the law. The Commission needs to put some teeth in its allocation rules, now.

But many other organizations, although politically active, do not have partisan politics as their primary purpose. Section 501(c) groups, for instance, are prohibited by the tax laws from having a primary purpose to influence elections. These groups thus operate under different rules, and appropriately so.

Section 501(c) groups can - and should - engage in nonpartisan voter mobilization activities without restriction. And under existing tax laws, Section 501(c) groups - unlike section 527 groups - cannot have a major purpose to influence federal elections, and therefore are not required to register as federal political committees, as long as they comply with their tax law requirements. Much of the public controversy surrounding the FEC's rulemaking stems from a failure to understand these simple distinctions.

It's tempting to see everything that is done in campaign finance reform through a partisan lens. And sometimes, it's true that things are done with partisan ends in mind. But we all need to remember that what may seem, in the middle of an election, to be in the short-term political interest of one party is not necessarily a good thing in the long run - even for that party.

I note that FEC Vice-Chair Ellen Weintraub opposed a rulemaking on 527 activity at this time, saying "at this stage in the election cycle, it is unprecedented for the FEC to contemplate changes to the very definitions of terms as fundamental as 'expenditure' and 'political committee' . . . sowing uncertainty during an election year." Weintraub stated, "I will not be rushed to make hasty decisions, with far-reaching implications, at the behest of those who see in our hurried action their short-term political gain."

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In fact, what the FEC needs to do now is simply enforce existing federal election law as written by Congress in 1974 and interpreted by the Supreme Court in 1976. It defies the whole purpose of the FEC to say that it should not enforce this law in the middle of an election year because such enforcement might effect that election. The fact that the FEC has neglected to enforce the law correctly for the last several years because it erroneously interpreted the rules for 527s is not a reason for the Commission's continued failure to enforce it now that the Supreme Court has made it clear in *McConnell* that they should do so.

One of the problems the FEC faces today is that Commissioners refuse to acknowledge even the Supreme Court's authority in this area. FEC Chairman Brad Smith's response to the *McConnell* decision was to say: "Now and then the Supreme Court issues a decision that cries out to the public, 'We don't know what we're doing!' *McConnell* is such a decision." What an extraordinary statement from a public official whose statutory responsibility is to enforce the laws of the land as written by Congress, signed by the President, and upheld by the Supreme Court!

Mr. Chairman, it is statements like this that point out the need for fundamental reform of the FEC. I hope this Committee will hold hearings on the legislation that Senator Feingold and I have introduced to do this. The FEC's current difficulty in dealing with an issue as straightforward as these 527 organizations spending soft money in the 2004 federal elections, and the 3-3 ties at the Commission when it recently considered an advisory opinion on this issue, are only the most recent examples of the need for FEC reform.

While FEC Vice-Chairman Weintraub spoke about her concern that the 527 issue was being raised for "short-term political gain", I trust no one will suggest that my position in this hearing is so motivated. The Chairman certainly knows of the many occasions where I have been accused of neglecting partisan interests. My dedication to the cause of campaign finance reform goes back many years and will extend far beyond the current election cycle. The same may of course be said of my colleague, Russ Feingold, who joins me here today.

We believe the FEC needs to do what is right, which is to ensure that both the Federal Election Campaign Act of 1974 and the Bipartisan Campaign Reform Act of 2002, are fully enforced. I welcome recent efforts by the Republican National Committee to encourage enforcement of the law regarding 527 federal political activities. Support for enforcement is welcome no matter the reasons for it. Just as some former opponents of campaign reform now favor enforcement actions by the FEC, some of those who in the past urged enforcement of the law have suddenly changed their tune. Let me read you a portion of a letter sent to the Department of Justice asking for a criminal investigation of a 527 group which was proposing to run issue advertising and conduct voter registration for the purpose of affecting federal elections and which had failed to register with the FEC as a federal political committee.

[It has} begun to raise \$25 million so that this group can finance issue advocacy advertisements and get-out-the-vote activities. This organization plans to finance these activities from donations raised outside of the Federal Election Campaign Act's ("FECA" or the "Act") source limitations and amount restrictions, and without regard to the FECA's registration and reporting requirements. The result is an organization that is claiming tax-exempt status as a "political

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organization" under Section 527 of the Internal Revenue Code, but which is willfully refusing registration and reporting expenditures and contributions received.

This letter came from Democratic election law attorney Bob Bauer and his law firm Perkins Coie in 1998, objecting to a 527 created by Congressman Tom Delay. I agree with Mr. Bauer's analysis of federal election law relating to 527s and federal political committees as stated in this letter. Unfortunately, Mr. Bauer and his law firm are now representing 527s who want to engage in the sort of activity which they argued only a few years ago was "illegal" and required criminal investigation. [Letter in record]

What this letter proves is that it is foolish for anyone-including Members of Congress or Commissioners of the FEC-- to make decisions on enforcing the election laws based on perceptions of short-term, inherently changeable, partisan considerations. Instead, precisely because partisan calculations change over time, and then change again, the only appropriate basis for interpreting the law in this area is the statutes themselves, and the principle of keeping corporate and labor funds out of federal elections.

With the Bipartisan Campaign Reform Act, we showed our constituents, in a bipartisan way, that we care about making sure that they have the political power in this country, rather than the Enrons and the WorldComs and unions and the wealthiest of the wealthy. We need to continue that work, not undermine it, at this critical time. And we need not wait until the election is over. The FEC should act as quickly as it can to settle this matter, and bring the confusion over these groups to a close.

I hope the Commissioners will not let short-sighted political or personal ideological concerns deter them from the right course - for themselves, for their parties, and for the public they represent.

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Attachment B

OUR PLAN FOR VICTORY IN 2004

CLOSE ELECTIONS ARE WON ON THE GROUND

And this is going to be a close election.

Bottom line—we will win in November 2004. And we'll do it by being smarter, working harder, and turning out more votes on Election Day.

In 2000, the Presidency was decided by razor thin margins in 17 states -- 17 states that swayed elections and set the issue agenda. This is still a 50-50 nation, just as it was in 2000. Once again, these 17 states will decide the election and frame the issue debate for races at every level.

Our Plan is to win every one of those battleground states in 2004.

But it won't happen without hard work. Republicans from the state houses to the White House have advantages: a massive money machine powered by fat-cat allies and right-wing extremists desperate to keep their stranglehold on power.

We have to capitalize on our greatest strength — the fierce power of Americans who care, are committed and are prepared to take the fight to the grassroots.

We know there is nothing more powerful than America Coming Together to create change in 2004.

WE ARE THE FOOT SOLDIERS OF THE PROGRESSIVE MOVEMENT

ACT has a clear goal: we will mobilize millions of voters who will say NO to the Republican agenda at every level. ACT will uproot the cynicism of politics-as-usual.

Our plan is rooted in old fashioned, door-to-door, shoe leather on the pavement politics—but with a high tech twist.

- ACT will focus on **personal contact**—around kitchen table, face-to-face, neighbor-to-neighbor.
- ACT will **make this campaign about the issues** that really matter to voters. ACT canvassers will **listen to voters' concerns** about issues that affect them and their families.
- ACT will **communicate with voters** about those issues, highlighting the extremist positions of the Bush Republican agenda and discussing positive, progressive alternatives.
- ACT will use **cutting edge technology** to add this issue information to the voter file, so voters are seen as individuals, not just anonymous targets barraged by information.
- ACT will get in touch and **stay in touch**— -- by reaching out to voters now, repeatedly contacting them through phone calls, mail and door-to-door operations, and personally following up with them right up to Election Day.

We will find the exact voters who believe in change but don't vote, in key counties, key precincts, and key neighborhoods and we will bring the issues right to their front doors.

Person to person, neighbor to neighbor, friend to friend, we will get people thinking and talking about the issues that really matter: health care, jobs, security, and the economy.

We will help voters understand they have the power to change this nation for the better -- then we will get them to the polls in the biggest voter turnout operation in history.

On Election Day 2004, an army of new voters, mobilized voters, informed voters will march to the polls and create change.

AMERICA COMING TOGETHER WILL MAKE THIS HAPPEN.

We have a job. You do too.

Let's talk about what you can do to help.

SIGN UP NOW

Join ACT, create change and do your part.

DONATE

Help support the ground campaign -- help us match their huge dollars door-to-door.

TELL A FRIEND

Pass the word. It is crucial we get the word out. You know people who feel like you did—four more years are looming and they don't know what they can do about it. Now you do—so share the power!

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Ellen R. Malcolm
President

Dear Friend,

Are you ready to go for it, prepared to lay everything on the line to win in 2004?

I hope so. Because, if we can count on your personal support and active participation, 2004 will be a year of *America Coming Together* and George W. Bush going home.

To keep their grasp on the White House and win other critical key House, Senate and local races, the Bush campaign and the Republican National Committee are amassing a political fortune. By Election Day, they will have raised and spent over half a billion dollars to hold onto power.

We can't match them dollar-for-dollar. But, we can — and must — match them door-for-door.

America is divided almost evenly between those who support President Bush and those who believe he is taking America in the wrong direction. In the presidential contest and in other key federal, state and local races, the elections of 2004 will be won by whichever side does the best job identifying and mobilizing its supporters.

That's why some of the leading progressive organizers in America have come together to advance a bold, far-reaching Action Plan, an outline of which I have enclosed with this letter.

With help from committed activists like you, *America Coming Together (ACT)* will organize millions of face-to-face, door-to-door, neighbor-to-neighbor contacts that will shape the outcome of the 2004 elections — and shape the future of American politics.

And, when Election Day is over, we will have defeated George W. Bush and elected progressive candidates all across the nation. The extraordinary effort we're undertaking is in response to the extraordinary damage Bush and his allies do, on a daily basis, to values we believe in and to people we care about.

In communities all across America, people are hurting because Bush's mindless devotion

(read on, please)

Steve Rosenthal Chief Executive Officer / Main Office / 888 16th St. NW / Suite 450 / Washington, DC 20006 / T 202 974 8360 / F 202 974 6361
Ellen R. Malcolm President / Fundraising Office / 1120 Connecticut Ave. NW / Suite 1120 / Washington, DC 20036 / T 202 419 1040 / F 202 419 1050

Paid for by America Coming Together (www.actvictory.org) and not authorized by any candidate's committee.

(2)

to tax cuts for the wealthy is making a shambles of our economy. Bush has turned record budget surpluses into record deficits in no time flat.

He has worked hard to undermine a woman's right to choose. His reckless disregard for the environment has eroded decades of progress. He's set timber companies loose on our national forests — and he's set John Ashcroft loose on our civil liberties.

But, wishing won't make Bush, Cheney, Ashcroft, DeLay and their extremist agenda go away. People-to-people organizing will — and organizing is what ACT is all about.

With your help, we're going to put people back into politics — big-time.

What's it going to take to defeat George W. Bush and elect strong progressive candidates across the country? It's going to take an ambitious, history-making voter contact plan — and it's going to take people like you getting involved.

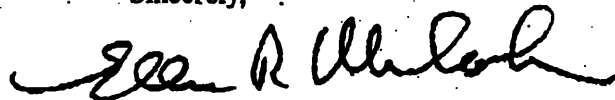
Do you believe that there is no higher priority in 2004 than defeating George W. Bush and electing strong progressives to replace those politicians who have helped Bush advance his extreme agenda?

Are you willing to help *America Coming Together* finance and execute the most far-reaching and intensive face-to-face campaigning by progressives that America has ever seen?

Here's what *America Coming Together* is all about. It's about people like you and me making a personal commitment to defeating George W. Bush and electing strong progressive candidates.

It's time to put our money where our hearts are. Please join us.

Sincerely,



Ellen R. Malcolm
President

P.S. As our Action Plan unfolds in the months ahead, we'll be counting on both your financial support and your personal participation. So, as you write your check, please take a moment to fill out the enclosed *America Coming Together* enrollment form.

Whether you're in one of our 17 target states or not, there is much you can do. So be sure to let us know how you'd like to be involved.

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That leaves seventeen states with 180 electoral votes as the competitive battleground in this election. Those states will not only determine the outcome of the presidential election, they will be the home of dozens of key federal, state and local races as well.

Our America Coming Together Action Plan will focus all of our attention in these key states — the ones that will decide in which direction America goes after the 2004 elections.

There's no doubt that America Coming Together can make a decisive difference. Consider the facts:

- In Wisconsin (10 electoral votes), 2,598,607 people voted and Al Gore won by 5,396 votes.
- In Oregon (7 electoral votes), 2,598,601 ballots were cast, Gore won by just 6,765 votes. And, how close are things in Oregon today? In a recent poll, 41% say they will vote to re-elect Bush, 47% plan to vote for or consider someone else, and 13% are undecided.
- And, of course, in Florida, 5,963,110 votes were counted and Bush was declared the winner by a margin of only 537. And, today, a majority of Florida voters say they will vote for or consider a candidate other than Bush in 2004.

25,000 organizers

At the heart of our America Coming Together Action Plan is an effort to build an infrastructure of deeply committed organizers. Each state will be led by a highly experienced state director.

We're already putting directors in place in nine states. Eight more will be added as soon as we have the financial support to know that we can carry out an effective effort in those states. That's why your immediate help is so vitally important.

Each state director will build a detailed plan and strategy to match the specific circumstances of his or her state. But, the centerpiece of each state plan is specific vote goals — city-by-city, county-by-county, precinct-by-precinct, voter-by-voter. We know how many votes we need to defeat President Bush and elect progressive candidates and we're organizing a massive, interconnected program of voter contact to go out and find those votes.

We'll begin with an early canvass, knocking on people's doors, getting the lay of the land. Then, come summer, we'll launch a massive door-to-door effort — contacting voters, identifying our supporters, and learning what issues matter most in their lives. We'll follow up with a stream of individual communications around the issues people have told us they are most concerned about.

throughout 2004, we can build a broader community of support and an unstoppable margin of victory.

We've got to find those voters who will support our candidates and we've got to engage them face-to-face. We know that, in 2004, voters will experience an avalanche of radio and television ads. Those ads have their place and it's critical for progressive candidates to stay competitive in the tit-for-tat media wars.

But, you and I both know that these mass market, impersonal communications aren't enough to truly engage people. Continuing declines in voter participation are evidence enough of that.

Our 2004 America Coming Together strategy isn't about adding to the media clutter. It's about putting good old-fashioned community organizing back into the electoral process. Our ambitious, well-considered plan revolves around face-to-face, door-to-door, neighbor-to-neighbor campaigning.

It's not only the most edifying thing to do; it's the most effective thing to do.

Experience has shown that multiple personal contacts, beginning well before the election and running right up through Election Day, are the most powerful way to engage citizens in politics. And, that's just what our America Coming Together strategy is all about.

And a one-way ticket back to Crawford, Texas.

The effort we're undertaking won't be inexpensive. Our America Coming Together Action Plan will cost \$94 million to carry out. We've already raised \$32 million and, to keep our efforts on track, we must raise the next \$5 million before the end of the year.

But, the rewards of victory will be well worth the time, effort, and money we invest. With your help, our America Coming Together Action Plan can help propel progressive candidates to victory in vitally important state, local and federal contests — and it can help buy George W. Bush a one-way ticket back to Crawford, Texas.

Let's get mad. Let's get organized. Let's win.

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America Coming Together Enrollment Form

I Want to Provide Critically Needed Financial Support.

I'm excited that progressives are getting organized in an unprecedented way. And I want to help *America Coming Together* defeat George W. Bush and elect progressive candidates by organizing an unprecedented, door-to-door campaign. To help advance this essential organizing effort, I am enclosing a special donation of:

☐ \$25 ☐ \$35 ☐ \$50 ☐ \$100 ☐ \$500 ☐ Other \$ _____

I Also Want to Volunteer My Time and Energy.

As *America Coming Together* plans its activities in the months ahead, please contact me about volunteering:

- ☐ I'd be willing to contact my friends and neighbors about *America Coming Together*.
- ☐ As Election Day approaches, I'd like to be a part of the *America Coming Together* Get-Out-The-Vote operation.
- ☐ I'm willing to do anything you need done.

I Want to Be an America Coming Together E-Activist.

I know that events move quickly in a presidential election year and that *America Coming Together* must be prepared to take action at a moment's notice. Please keep me as up-to-date as possible with e-alerts.

My e-mail address is: _____@_____.

My phone contact information is:

Home: (____) _____ - _____ Work: (____) _____ - _____

Please make any necessary corrections to your name and address. Make checks payable to ACT, and return in the enclosed envelope or send to 1120 Connecticut Ave., NW, Suite 1120, Washington, DC 20036. Thank you.

To make your gift by credit card, please see reverse side of this form.

Contributions to ACT are not tax deductible for charitable purposes.

All contributions permissible under federal law (individual contributions of \$5,000 or less per calendar year) will be placed in ACT's federal account to be used in connection with federal elections.

*Paid for by America Coming Together (www.actvictory.org) and not authorized by any candidate's committee.



America Coming Together / 1120 Connecticut Ave., NW / Suite 1120 / Washington, DC 20036

What People Are Saying About America Coming Together



"I helped found EMILY's List because I knew that, if we wanted to elect more pro-choice Democratic women, we had to change politics and break through the barriers that were stopping women candidates from winning. It's time to change politics again — and that's what *America Coming Together* is all about."

Ellen R. Malcolm
America Coming Together
President



"I wholeheartedly support the *America Coming Together* Action Plan. It's about time we came together and organized the kind of extraordinary efforts it takes to win on Election Day. I urge you to support this important organization."

Former Texas Governor Ann Richards

"With the Bush Administration in power, and the way it has exploited the terrorist attacks of September 11, I feel very uncomfortable about the direction in which the U.S. is taking the world, and to me it is not business as usual. It is for this reason that I am supporting *America Coming Together*. ACT is an effective way to mobilize civil society, to convince people to go to the polls and vote."

George Soros

"I'm proud to be a part of *America Coming Together*. The only way to protect our environment is to defeat President Bush and elect strong environmental candidates nationwide. The *America Coming Together* Action Plan is essential to that task."

Carl Pope
Sierra Club Executive Director and
America Coming Together board member

"The record is clear. If we talk to voters one-on-one, at the door, in their neighborhoods, on the phone, in the mail and on the Internet about the issues they care about — and weave our communications into an ongoing dialogue, they will come out to vote and make a change. That's why I'm proud to be a part of *America Coming Together*."

Steve Rosenthal
ACT CEO and former AFL-CIO Political Director



www.act4victory.org



The Power to Win Begins with You

YOUR STATE

THE ISSUES

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About ACT

America Coming Together (ACT) is dedicated to energizing the electorate to achieve crucial changes – the mobilization of millions of people to register and vote around the critical issues facing our country, the defeat of George W. Bush and his Republican allies, and the election of progressives in vitally important state, local, and federal contests. We are outraged at the policies and abuses of the past four years: the jobs lost, lives wasted, health care denied, air and water fouled, and rights abridged.

And we are organizing to make a change.

In **seventeen battleground states** *America Coming Together (ACT)*

- will **listen to voters'** concerns about issues that affect them and their families;
- will **communicate with voters** about those issues, highlighting the extremist positions of the Bush Republican agenda and discussing positive, progressive alternatives;
- will **partner with progressive organizations** so we will all be more effective and efficient, working together to **mobilize millions of voters who will say NO** to the Republican agenda by voting to defeat George W. Bush and elect progressives at all levels of government.

< Select

ACT is a unique alliance of committed people like you working together to defeat Republican reactionaries in races up and down the ticket. ACT is a proud member of **America Votes**, a historic coalition of progressive membership-based groups.

Together, we will create the largest turnout of voters in history, voters who will go to the polls in November and elect progressive candidates from the school boards to the White House.

ACT founders include Ellen Malcolm and Steve Rosenthal, veterans in the fight against right-wing extremism. Now people from all over the country are pitching in too—people who care, are committed and are prepared to take the fight to the grassroots.

Our ACTION Plan will help elect progressive candidate in vitally important state, local and federal contests—we know there is nothing more powerful than America Coming Together to create change in 2004.

More on ACT founders, staff, and strategists.

See our Plan for Victory in 2004.

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Join Our Struggle – Donate Now to ACT.

We are ready to fight back and defeat Bush in 2004. We are ready to defeat right-wing Republicans and elect progressive Democrats across the country. We are ready for America Coming Together.

Any portion of a contribution to America Coming Together in excess of the federal election limit (\$5,000 per year), or not permitted under federal regulations, will be placed in the America Coming Together non-federal account. We cannot accept funds from minors due to campaign finance laws. Contributions placed in the federal account will be used in connection with federal elections.

Contributions to America Coming Together are not deductible for federal income tax purposes.

Our Founders

Grassroots and political leaders who share a vision of a progressive America and are committed to help defeat George W. Bush, elect progressives up and down the ticket, and mobilize millions of people to register and vote around the critical issues facing our country started America Coming Together (ACT).

Ellen R. Malcolm, President of ACT, is the founder and president of EMILY's List – a political action committee that supports pro-choice Democratic women candidates. Under her leadership, EMILY's List – an acronym for "Early Money is Like Yeast" because it "makes the dough rise" – has grown to be the largest political action committee in the country. Since its founding, EMILY's List has helped send 11 pro-choice Democratic women to the U.S. Senate, 55 to the U.S. House of Representatives, and to elect seven governors. Malcolm will lead the effort to build ACT's membership and raise \$95 million to support ACT's voter contact program.

Steve Rosenthal, Chief Executive Officer of ACT, was Political Director of the AFL-CIO from 1996-2002, where he developed a groundbreaking voter contact program that increased voter turnout of union members by 4.8 million during a time when nonunion turnout decreased by 15 million. During the first three years of the Clinton Administration, Rosenthal served as Associate Deputy Secretary of the U.S. Department of Labor where he acted as former-Secretary Robert Reich's chief advisor on union matters. Before that he was Deputy Political Director for the Democratic National Committee under Chairman Ron Brown and Political Director Paul Tully. Rosenthal will design and execute ACT's voter contact program.

Minyon Moore heads Dewey Square's state and local practice. She was formerly Chief Operations Officer of the Democratic National Committee and before that Assistant to the President of the United States and Director of White House Political Affairs.

Gina Glantz has a distinguished 30-year career in campaigns and grassroots organizing. She was National Campaign Manager for the Bill Bradley for President campaign.

Carl Pope, Treasurer, is Executive Director of the Sierra Club, an organization of 700,000 environmental activists. Pope has spent 30 years in the environmental trenches, and worked to enact such statutes as the Clean Air and Clean Water Acts, the Superfund and California Desert Protection Act.

Cecile Richards is President of America Votes, a coalition of almost 30 national organizations working together to educate and mobilize voters in the 2004 elections on a broad range of issues including the environment, civil and human rights, women's rights, choice, education and labor.

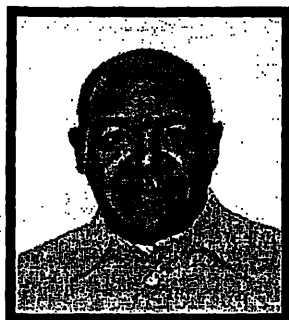
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Key Political Staff



JoDee Winterhof, ACT Political Director

Ms. Winterhof created innovative strategies for targeting and mobilizing voters for a variety of federal and state campaigns. She served as Chief of Staff to Senator Tom Harkin and advised both his presidential and senatorial campaigns. In her home state of Iowa, she has managed congressional campaigns and the Iowa Democratic Coordinated Campaign in 1996.



Donald Redmond, National Field Director

Mr. Redmond is a veteran campaigner specializing in voter mobilization and turnout. He served as Political Director for Philadelphia Mayor John Street in both his 1999 and 2003 campaigns and was Field Director for Ed Rendell's successful 2002 gubernatorial campaign. After a tight 1999 win, Mr. Redmond helped Mayor Street to a

decisive 16-point victory in 2003. Mr. Redmond has also provided critical organizing and tactical services to the NAACP Voter Fund and the Philadelphia Voter Mobilization Coalition.



Andy Grossman

Andrew Grossman served at the Democratic Senatorial Campaign Committee from 1999 through 2003. Grossman got his start in politics in 1988 working on Jesse Jackson's presidential campaign. He has worked for Democratic candidates at the local, state and national level, including David Dinkins' 1989 mayoral campaign in New York, Tom Harkin's campaign for president in 1992, and Jim McGreevey for Governor of New Jersey in 1997. In 1998, Grossman was the New York Democratic Party's coordinated campaign director, where he worked successfully to elect Chuck Schumer to the United States Senate and

Elliot Spitzer as New York's Attorney General.



Karin Johanson, State Director: ACT Florida

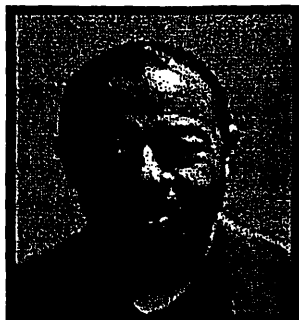
Ms. Johanson has been leading successful campaigns for twenty years. She has served as the Democratic Congressional Campaign Committee's Political Director and its West Coast Field Director. In addition, Ms. Johanson has worked as Political Director for EMILY's List and managed Rep. Tammy Baldwin of Wisconsin's winning campaigns in 2000 and 2002. For a decade, she also served as Chief of Staff for U.S. Rep. Steny Hoyer.



Jeff Link, State Director: ACT Iowa

Mr. Link has a long resume of winning campaigns. In Iowa, he was Campaign Manager for Senator Tom Harkin's successful 1996 and 2002 campaigns and as the Iowa State Director for Gore-Lieberman

in 2000. Mr. Link was also the Chief of Staff for Senator Harkin from 1997-1999. He received a Pollie Award from the American Association of Political Consultants for his work in the 2002 Harkin race combining technology with grassroots organizing.



Greg Naylor, State Director: ACT Pennsylvania

Mr. Naylor has spent more than three decades organizing Pennsylvania voters. Mr. Naylor was the Pennsylvania State Field Director for Gore-Lieberman in 2000 and has served as Chief of Staff to U.S. Rep. Chaka Fattah, as Field Director for Philadelphia Mayor John Street in 1999 and 2003, and as the Eastern Pennsylvania Field Director for Ed Rendell's successful gubernatorial campaign in 2002.



Robert Richman, State Director: ACT Minnesota

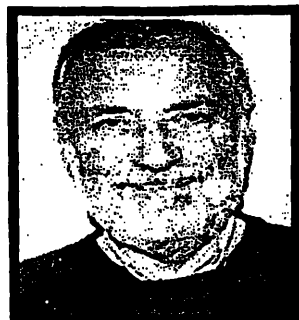
Mr. Richman is an expert Minnesota and national organizer. As National Field Director for the Bill Bradley for President Campaign, he developed a national grassroots coalition. Mr. Richman was also an early field organizer for the late Senator Paul Wellstone, served as Campaign Manager for Darlene Hooley (OR-5), and Deputy

Campaign Manager for Ann Wynia of Minnesota in her U.S. Senate race in 1994. In addition, Mr. Richmond was Field Director for fellow Minnesotan David Minge's upset victory for the U.S. House of Representatives in 1992.



Dennis Newman, State Director: ACT New Hampshire and ACT Maine

Mr. Newman has been a campaign manager and strategist in New Hampshire for nearly a quarter of a century. He was the New Hampshire State Director for the Clinton-Gore campaign in 1996 and was Massachusetts State Director for Gore-Lieberman in 2000. Since 1985, in addition to his political organizing work, Mr. Newman has maintained a respected Boston law practice specializing in legislative issues and election law.



Jay Neel, State Director: ACT Ohio

Mr. Neel has served as campaign manager for victorious congressional campaigns in several states. He worked for Michael Dukakis for President in 1988 and developed strategies to protect Democratic incumbents for the Democratic Congressional Campaign Committee. Mr. Neel has also served as Deputy Staff Director for the U.S. Commission on Civil Rights and Chief of Staff for Congressman Chet Edwards (TX).

Strategists

Cornell Belcher

Mr. Belcher is principal strategist for brilliant corners Research & Strategies a polling firm specializing in political, policy, opinion and market research analysis of minority and youth constituencies. He has a decade of experience in applying quantitative and qualitative research to real world issues and political campaigns for Democratic candidates and progressive organizations. In 2002 he served as Senior Political Advisor for the Democratic Senatorial Campaign Committee (DSCC), and has helped to develop message communication programs for the Democratic National Committee (DNC), Democratic Congressional Campaign Committee (DCCC), the DSCC, the National Education Association (NEA), Democratic Governors Association (DGA), Congressional Black Caucus (CBC), Service Employees Union International (SEIU) and Partnership for America's Future, National Council of Negro Women, Human Rights Campaign (HRC) and the NAACP Voter Fund.



Sergio Bendixen

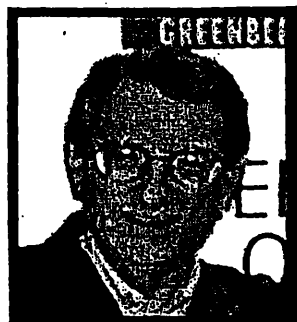
Mr. Bendixen has twenty years of experience providing strategic advice to Democratic campaigns. His Miami-based public opinion research company specializes in polling analysis of Latinos in the United States. Mr. Bendixen has consulted for countless campaigns, ranging from presidential contests to local elections, in targeting Latino voters. In addition, he has also provided political analysis for the Spanish International Network, Univision, CNN en Español and Telemundo.



Anna Greenberg

Not only has Ms. Greenberg provided her expertise as a polling consultant to countless political campaigns for federal and state candidates, she also has assisted a host of non-profit organizations and issue campaigns. Most recently, she aided Democrats in their successful effort to retake the majority in the New Jersey Senate. In 2002, she was Polling Advisor for

the winning House of Representatives campaign of former top Clinton Presidential aide Rahm Emanuel. In addition, Ms. Greenberg has served as an Assistant Professor at Harvard University's John F. Kennedy School of Government.



Stan Greenberg

Mr. Greenberg has been a top political strategist for over two decades and served as polling advisor for heads of state ranging from President Bill Clinton to South African President Nelson Mandela to British Prime Minister Tony Blair. Mr. Greenberg has worked for many years as the principal polling advisor to the Democratic National Committee, as well as for campaigns at all levels of government. He recently authored, "The Two Americas: Our Current Political Deadlock and How to Break It," which has won universal praise for its insight and analysis of the partisan divide in America.

Minyon Moore

Ms. Moore heads Dewey Square's successful state and local affairs practice. She formerly served as the Chief Operating Officer of the Democratic National Committee, where she was directly responsible for the day-to-day management and oversight of the Party's activities, including political operations, communications, research strategy and fund-raising, as well as fiscal and

administrative operations with an operating budget of \$60 million. Prior to directing DNC operations, Ms. Moore served as Assistant to the President of the United States and Director of White House Political Affairs and was the principal political adviser to the President, Vice President, First Lady and senior White House staff, with primary responsibility for planning and directing the political activities of the President.



Celinda Lake

Ms. Lake has worked as a pollster and strategist for successful candidates in both federal and state elections: the 1992 Clinton-Gore campaign; Governor Gary Locke, the first Asian-America governor in the country; Mary Landrieu, the first southern woman elected to the Senate in her own right; and Carol Mosley-Braun's victory as the first African-American woman elected to the U.S. Senate. Ms. Lake has served as a senior advisor and tactician to the Democratic National Committee (DNC), the Democratic Governor's Association (DGA), AFL-CIO, SEIU, CWA, IAFF, Sierra Club, Planned Parenthood, Human Rights

Campaign, and Emily's List.



Tom Lindenfeld

Mr. Lindenfeld's 20 years of election experience includes working at all levels for campaigns of all sizes and scales. He has served as Director of the National Coordinated Campaigns for the Democratic National Committee on behalf of the Clinton Presidential effort, DNC Director of Elections, and has headed numerous federal, state and local campaigns. In addition, Mr. Lindenfeld has also served as the Political Director of the National Committee for an Effective Congress, managed Frank Pallone's first congressional campaign in 1988 and served as his Chief of Staff.

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info@act.org

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**The Power to Win Begins with You**

YOUR STATE

THE ISSUES

JOIN ACT: <email>

<zip>

DONATE

Want to Help Match Them Door-for-Door in 2004!

Yes, I am committed to kicking George W. Bush out of the White House and electing progressive candidates from state houses to city halls! Please use my contribution to implement ACT's strategy to mobilize millions of voters around the critical issues of this election year.

Donation Information

* Indicates a required field.

- *Donation Amount:
- ☐ \$50
 - ☐ \$75
 - ☐ \$100
 - ☐ \$1000
 - ☐ Other \$

< Select

Your Name & Email

*Email:

*Prefix: Select...

*First Name:

Middle
Name/Initial:

*Last Name:

Suffix: Select...

Billing Address

Please use the billing address for your credit card.

*Address Line 1:

Address Line 2:

*City:

State/Province: * Select...

* Zip/Postal
Code:

* Country: United States

Phone Contact

Home Phone:

Work Phone:

Fax:

Payment Information

* Card Type: Visa

* Card Number:

* Expiration Date: January 2004

Additional Information

* Occupation:

* Employer:

IMPORTANT

In compliance with Federal Election Commission requirements, we must confirm that the following statements are true and accurate for all on-line contributors. Please click on the box before each statement that applies to you. Your contribution cannot be accepted unless each box is checked.

- * ☐ I am a United States citizen or a permanent resident alien.
- * ☐ This contribution is not made from the general treasury funds of a corporation, labor organization or national bank.
- * ☐ This contribution is not made from the treasury of an entity or person who is a federal contractor.
- * ☐ The funds I am donating are not being provided to me by another person or entity for the purpose of making this contribution.

Donate

To ensure proper processing, please click the Donate button only once. Do not exit this window until you receive confirmation that your information has been processed, which may take a minute or two.

Any portion of a contribution to America Coming Together in excess of the federal election limit (\$5,000 per year), or not permitted under federal regulations, will be placed in the America Coming Together non-federal account. Contributions placed in the federal account will be used in connection with federal elections.

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If you would like to contribute by check, you can do so by printing our donation form and sending us your payment information, or a personal check.

Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation, and employer for individuals whose contributions exceed \$200 in a calendar year.

Steve Rosenthal, Chief Executive Officer
Main Office
Suite 450
888 16th Street NW
Washington, DC 20006
p: 202.974.8360
f: 202.974.8361

Ellen R. Malcolm, President
Fundraising Office
Suite 1120
1120 Connecticut Avenue NW
Washington, DC 20036
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f: 202.419.1050

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Attachment C

27044172090

Other Participants

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AMERICA COMING TOGETHER PAC

Key Personnel:

- ✓ Executive Director: Steve Rosenthal, Former Political Director, AFL-CIO
- ✓ President: Ellen Malcolm, President, EMILY's List
- ✓ Andrew Stern, President, SEIU
- ✓ Carl Pope, Executive Director, Sierra Club
- ✓ Cecile Richards, President, America Votes
- ✓ Gina Glanz, SEIU
- ✓ Sujata Tejwani (former Communications Director for Partnership)
- ✓ JoDee Winterhof (former Secretary/Treasurer for Partnership)

LEAGUE OF CONSERVATION VOTERS (LCV)

Key Personnel:

- ✓ President: Deb Callahan

MOVEON.ORG

Key Personnel:

- ✓ President: Wesley Boyd (Co-Founder)
- ✓ Treasurer: Joan Blades (Co-Founder)
- ✓ Secretary: Peter Schurman

✓ Organizing Director: Zack Exley

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Attachment G



FOR IMMEDIATE RELEASE
 Thursday, February 26, 2004

Contact: Jessica Smith, Trevor FitzGibbon,
 Kavana Lloyd, Roberto Delgado
 (202) 822-5200

MoveOn.org Voter Fund Calls for Justice Dept. Investigation of Administration's Illegal Use of Government Funds For Bush "Re-Election Ads"

GROUP TAKES ACTION IN RESPONSE TO CBS RE-AIRING BUSH MEDICARE AD WHILE REJECTING MOVF MEDICARE AD

CBS Re-Airs Controversial Bush Ad After Stating on February 14th: "The ad has been pulled. It violated our longstanding policy on advocacy advertising."

The MoveOn.org Voter Fund today called on Attorney General John Ashcroft to investigate the Bush Administration's use of federal funds to pay for TV advertising around the new Medicare law, calling them "political re-election ads."

The request came after CBS rejected an ad which MoveOn.org Voter fund proposed to place on CBS — paid for with its members' donated private funds — that counters the Bush Administration ad on Medicare which is now running on CBS. The MOVF ad has appeared on CNN and other networks and on network-affiliated stations around the country.

The ad CBS is airing was created by the same team of consultants who are handling the Bush/Cheney 2004 campaign ads, with \$9 million in federal funds made available by the Department of Health and Human Services. Federal law explicitly forbids the commingling of federal funds and programs with political campaigns.

CBS has taken the position that it will not accept so-called "issue." When MOVF complained and mobilized others to protest the airing of the Bush Medicare Ad, CBS agreed with the criticism and pulled it. But when Republican officials complained, CBS buckled and put the air back on the air.

"That decision was inexplicable, given that CBS executives had admitted that the Bush ad violated their policy," said Eli Pariser, campaign director for MOVF.

Meanwhile, House Democratic Leader Nancy Pelosi, released a statement today critical of CBS.

"If CBS is going to air the Administration ad promoting the new Medicare bill—an ad that the conservative National Taxpayers' Union has called 'an election year ploy rather than a genuine public service announcement'—it should air the MoveOn ad as well. CBS has a responsibility to give the American people both sides of the debate and let their viewers decide for themselves.

"Once they learn the facts, I'm confident that Americans will realize the Republican Medicare bill is

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a bonanza for HMOs and drug companies, and a cruel hoax on our nation's seniors," concluded Pelosi.

A copy of the MOVF letter to the Justice Department is attached. The MoveOn.org Voter Fund is a Section 527 political committee that runs campaigns to inform the public about the policies and programs of the George W. Bush presidency.

///

The MoveOn family of organizations consists of three entities. MoveOn.org, a 501(c)(4) organization, primarily focuses on education and advocacy on important national issues. MoveOn.org PAC, a federal PAC, primarily helps members elect candidates who reflect our values. And MoveOn.org Voter Fund, a 527 organization, primarily runs ads exposing President Bush's failed policies in key "battleground" states.

27044172100



VOTER FUND STRATEGY: EXECUTIVE SUMMARY

Objective. Our objective is to challenge George Bush's policies and record in order to reduce support for his re-election in 2004. We will concentrate our resources in several states critical to his re-election. In those states, we will reduce his support among swing voters through an empirically driven advertising campaign.

Strategy. Bush's support is eroding on many fronts, foreign and domestic. Yet his potential presidential opponents must spend most of their resources on competing with each other rather than further undermining public support for Bush. As this will continue until mid- to late-March, we believe a strong independent effort that is launched immediately can fill the void and soften Bush's support before he and his eventual opponent begin their head-to-head battle in the spring of 2004. Absent such work, Bush's use of the presidential bully pulpit will put all of us at a disadvantage in the period leading up to March 2004.

Tactics. We will create powerful television advertising to implement this strategy. We will produce convincing anti-Bush TV spots and get them on the air in targeted states. We will buy enough airtime to effectively deliver our message to swing voters in those states. We will sustain our advertising presence continually throughout the pre-primary and primary periods. Our advertising will significantly enhance door-to-door canvassing, labor union membership education, voter registration, and other projects taking place on the ground in the states we target. We will constantly refine our themes and the content and tone of our TV spots to reflect the findings of a vigorous testing program.

Message. Our initial TV advertising will be grouped around three simple themes, which recent polling and focus group research have indicated will get the best response. First, Bush's actions can't be trusted. He tells us he will leave no child behind, but he cuts funding for education. He launches a "healthy forests" initiative that is actually a smokescreen for more logging. Second, Bush's actions reflect a lack of concern for working families. He reduces benefits to pay for tax breaks for the rich. He favors drug companies over seniors who need cheaper medications. Third, Bush's actions and record show lack of competence to solve the nation's problems. He's mismanaged the war in Iraq. He failed to plan adequately for the post-war period. Deficits are out of control. Now, he's got no solution to the jobs problem.

Research and testing. We will continually test and re-evaluate this three-pronged message strategy by conducting polls and focus groups and by staying in touch with allies working on the ground in each of our targeted states. We will refine our understanding of the swing voter population in each state to see which segments are more persuadable than others. We will be sensitive to varying conditions in each state, which may require that different TV spots be run in different locations. We will test the impact of our advertising with before and after polling to be certain we are having the effect we desire. We will test different amounts of advertising to be certain we are buying enough to affect the vote but not more than is necessary. We will constantly troll for new messages that might more effectively achieve our objective, and we will monitor our tone to be sure it resonates with the voters we are after.

Integration with other efforts. We will work collaboratively with other projects pursuing similar strategies. While ours will be the only campaign using large-scale TV advertising during the pre-primary and primary periods, several other well-funded field efforts are underway in some or all of the states we are targeting. We will coordinate with these efforts to ensure that our advertising will enhance public interest in these field campaigns, increase motivation to participate in them, and get them more attention from the local press.

Success. We understand that an autumn 2003/winter 2004 campaign is very early for affecting the vote in November 2004. However, we believe that the outcome of the next presidential election will be largely decided in a few states and determined by relatively small margins. We should never allow there to be a gap in the drumbeat of opposition the public hears about Bush's performance as President, especially in the battleground states, and especially now that his support has dropped to pre-9/11 levels.

The MoveOn family of organizations consists of three entities. MoveOn.org, a 501(c)(4) organization, primarily focuses on education and advocacy on important national issues. MoveOn.org PAC, a federal PAC, primarily

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helps members elect candidates who reflect our values. And MoveOn.org Voter Fund, a 527 organization, primarily runs ads exposing President Bush's failed policies in key "battleground" states.

27044172102

We Will Beat Bush - Archives

The "Mother" of All House Parties

The East Bay for Kerry/MoveOn House party on December 7th combined the forces of two grass-roots organizations based in San Francisco East Bay Area. We had 200 guests eating, drinking, and watching the MoveOn Documentary "Uncovered" featuring Joseph Wilson and Rand Beers from the Kerry campaign.

When Teresa Heinz-Kerry arrived, she handed me a pin that read in the center: "Asses of Evil" with "Bush", "Cheney", "Rumsfeld" and "Ashcroft" surrounding it. She met, greeted and talked to a jam-packed room of Kerry supporters and others who came for the MoveOn documentary. Many were curious, others undecided, or belonging to other candidate camps.

Teresa talked about her life as the daughter of a physician in Africa, about life during a repressive regime, to life inside Washington DC, and a brief intimate glimpse into her courtship with John. She told a rapt crowd about how they met and their first date, and that he did not call again for six months, adding, "He was slow on the uptake". Just as she was about to add more to the story, the phone rang. It was the Senator.



The synchronicity of this call was not lost on the crowd. We all laughed. John then spoke about the Medicare Bill recently signed by the president that effectively forces people into expensive HMO plans and prevents Medicare from using its formidable consumer base to drive the bulk purchase of expensive prescription drugs down. He also spoke about the recent Bush Thanksgiving visit to our military in Iraq, carrying a platter laden down with a fake turkey, smiling for a photo op.

People were hungry for the food we had prepared, but more so, hungry for John's message of hope. After the call, Teresa took questions from the crowd. One of the questions was about grass-roots organizing, and the effect it had on the current presidential campaigns. Teresa responded that grass-roots has to happen at EVERY level, from the Internet, to canvassing and meeting people, to letter writing and phone calling. She reminded us that this was the way to connect with others and to get the message out.

A PBS producer working on a documentary on MoveOn interviewed Teresa. He asked, "Just as radio was for

Roosevelt, and television was for Kennedy, the Internet has been defined as the new political grass-roots organizing tool for this era. What is your reaction to that?"

Teresa said, "The Internet is a great grass-roots organizing and political tool; but it is still an adjunct." The producer asked her to clarify. Teresa responded, "Until EVERYONE has access to a computer and knows how to access the Internet, it will still be an adjunct political grassroots organizing tool".

It was hard for Teresa to stay on schedule. The lovely voice of opera singer, Susan Gundunas was on hand to sing a few tunes, and that kept Teresa with us a while longer than expected. Before saying goodbye, she took with her some "Condoleezza Rice Crispies Bars" and "No Child Left Behind Chocolate Chip Cookies", sold to generate donations to the cause. She left with a lilt to her step, a warm smile, and some new converts, some of whom were uncommitted and undecided, and some who were definitely committed, but came over to our camp. Because of her,

She gave us a bit of what she does best, connecting us as a community with her heart, compassion, and willingness to fight throughout all her life for the good of all of us. As her husband, John Kerry has throughout his life. Teresa completed the picture many people had unfinished about John Kerry. Now they know they have a "Real Deal". From baking cookies, gathering food donations, staying up late cooking chicken wings, putting up artwork, and decorating that beautiful rambling modern home in the Oakland Hills, we at East Bay for Kerry did our job because we believe grass roots efforts include all of these finer, human details. We brought in more than 80 people to John's birthday party the next night, bringing the room to capacity at 350 the following night.

Thanks to Teresa, we kept the party going on, and she helped us here at East Bay for Kerry, throw the Mother of All House Parties.

Fe Bongolan - December 11, 2003
East Bay for Kerry - Berkeley, CA

Posted in [California](#) | [Entry link](#)
By [Pamela Leavey](#) on December 11, 2003 at 11:30 AM

27044172104

Attachment H

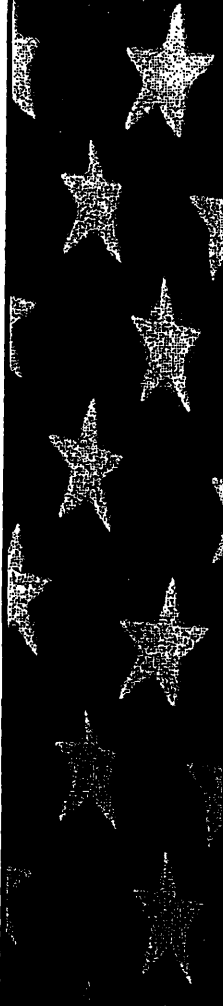
|

-----Original Message-----

From: Aimee Christensen [mailto:info@environment2004.org]
Sent: Thursday, February 26, 2004 2:12 PM
Subject: Help Us Make the Difference in November

Environment

2004



Dear Dave,

★ ★ ★ ★ ★
Donate to E'04 Today

As the Democratic Party closes in on selecting its nominee, the 2004 Presidential election will enter a critical new phase. The primaries have given the Democratic contenders a lot of media attention, but they have been expensive, draining the finances of all the candidates.

Meanwhile, Bush/Cheney '04 has raised over \$131 million dollars to spend entirely on defeating the Democratic nominee. The moment the race for the Democratic nomination ends, the Republican money machine and the Bush/Cheney campaign will launch one of the most extensive media counter-offensives in history.

One element of their counterattack is already underway. The Bush administration is on a campaign to cover up its anti-environment record by announcing small environment-related projects and select enforcement actions in key battleground states. These efforts are designed to deceive local voters and to draw their attention away from the Administration's attempts to dismantle environmental and public health protections nationwide.

Environment2004 is setting the record straight. We are revealing the Bush administration's dangerous environmental agenda and countering its attempts to mask its true policies. To do this we need your financial

support.

We are beginning our campaign in New Hampshire, using the same successful model we employed in our Florida launch. We will hold a series of events in New Hampshire, including the release of a report detailing the statewide impacts of the Bush administration's environmental policies. New Hampshire is a critical state. In 2000, Democrat Al Gore lost the state by a mere 7,211 votes. With your help, we can reach important swing voters and make the difference in 2004.

Please help us make the difference in New Hampshire and our other key states this time around! Visit our website now. With your help we can win back our country and create a safer environment for our children.

Sincerely,
Aimée Christensen
Executive Director

Environment2004
733 15th Street, NW
Suite 314
Washington DC 20005

Unsubscribe from list | Change information | Forward to friend

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Form
(Rev. July 2003)

8871

Department of the Treasury
Internal Revenue Service

Political Organization Notice of Section 527 Status

OMB No. 1545-1693

Part I General Information

1 Name of organization

Environment2004, Inc.

Employer identification number

47 - 0914198

2 Mailing address (P.O. box or number, street, and room or suite number)

733 15th Street NW, Suite 314

City or town, state, and ZIP code

Washington, DC 20005

3 Check applicable box: ☐ Initial notice ☒ Amended notice ☐ Final notice

4a Date established

03/20/2003

4b Date of material change

01/30/2004

5 E-mail address of organization

Khopfharris@environment2004.org

6a Name of custodian of records

Karen Hopfl-Harris

Custodian's address

733 15th Street NW, Suite 314

Washington, DC 20005

7a Name of contact person

Karen Hopfl-Harris

Contact person's address

733 15th Street NW, Suite 314

Washington, DC 20005

8 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number

733 15th Street NW, Suite 314

City or town, state, and ZIP code

Washington, DC 20005

9a Election authority

NONE

9b Election authority identification number

Part II Notification of Claim of Exemption From Filing Certain Forms (see instructions)

10a Is this organization claiming exemption from filing Form 8872, Political Organization Report of Contributions and Expenditures, as a qualified state or local political organization? Yes ☐ No ☒

10b If 'Yes,' list the state where the organization files reports:

11 Is this organization claiming exemption from filing Form 990 (or 990-EZ), Return of Organization Exempt from Income Tax, as a caucus or associations of state or local officials? Yes ☐ No ☒

Part III Purpose

12 Describe the purpose of the organization

To raise the profile of energy and environment as issues vital to the future of our nation and world, and build a nationwide grassroots network of activists that will work to assure that these issues remain in the forefront of the national agenda.

27044172103

Part IV List of All Related Entities (see instructions)

13 Check if the organization has no related entities.

14a Name of related entity	14b Relationship	14c Address
Environment2004, Inc. PAC	Connected	733 15th Street NW, Suite 314 Washington, DC 20005

Part V List of All Officers, Directors, and Highly Compensated Employees (see instructions)

15a Name	15b Title	15c Address
Karen Hopfl-Harris	Treasurer	733 15th Street NW Suite 314 Washington, DC 20005
Liz Veneris	Secretary	1719 N. Highland St Arlington, VA 22201
Aim�� Christensen	President	733 15th Street NW, Suite 314 Washington, DC 20005
Roger Sant	Director	2100 Pennsylvania Avenue, Suite 525 Washington, DC 20008
Simon Rich	Director	620 Poplar Neck Rd Edenton, NC 27932
Nancy Gibson	Director	2712 Glenhurst Ave. St. Louis Park, MN 55416
Donna Gerstenfeld	Director	1755 P St NW Washington, DC 20036
Dianne Dillon-Ridgely	Director	P.O. Box 2982 Iowa City, IA 52244
Bruce Babbitt	Director	555 11th Street, NW Suite 1000 Washington, DC 20004
Nicholas Butterworth	Director	81 Walker Street, Apt. 3 New York, NY 10013
Peter Fox-Penner	Director	300 East Broad Street Falls Church, VA 22046
Howard Learner	Director	1407 Hood Street Chicago, IL 60660
Beth Viola	Director	9205 Willow Pond Lane Potomac, MD 20854
Mary Nichols	Director	435 South Irving Los Angeles, CA 90020

27044172109

Frank Loy Director and Chair 3230 Reservoir Road, NW
Washington, DC 20007

Nigel Purvis Director 7300 Holly Avenue
Takoma Park, MD 20912

David Sandalow Director 3711 Idaho Ave., NW
Washington, DC 20016

Karen Skelton Director 1127 11th Street Suite 505
Sacramento, CA 95814

Roger Ballentine Director 3625 Raymond St
Chevy Chase, MD 20815

Carol Browner Director 901 15th Street, NW
Washington, DC 20005

George Frampton Director 75 Glen Eagles Drive
Aspen, CO 81611

David Gardiner Director 3611 N. Harrison St.
Arlington, VA 22207

David Hales Director 3411 Mansfield Road
Falls Church, VA 22041

Howard (Bud) Ris Director 5 Ellen Dana Court
Lexington, MA 02420

Under penalties of perjury, I declare that the organization named in Part I is to be treated as a tax-exempt organization described in section 527 of the Internal Revenue Code, and that I have examined this notice, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that I am the official authorized to sign this report, and I am signing by entering my name below.

Karen Hopfl-Harris

01/30/2004

Sign
Here

Name of authorized official

Date

Form **8872**
(November 2002)

**Political Organization
Report of Contributions and Expenditures**

Department of the Treasury
Internal Revenue Service

► See separate instructions.

OMB No. 1545-1696

A For the period beginning: 03/20/2003 and ending: 06/30/2003

B Check applicable box: ☒ Initial report ☐ Change of address ☐ Amended report ☐ Final report

1 Name of organization: Environment2004, Inc. **Employer identification number:** 47 - 0914198

2 Mailing address (P.O. box or number, street, and room or suite number)

4621 46th Street, NW

City or town, state, and ZIP code

Washington, DC 20016

3 E-mail address of organization:

info@environment2004.org

4 Date organization was formed:

03/20/2003

5a Name of custodian of records

Karen Hopfl-Harris

5a Custodian's address

4621 46th St. NW

Washington, DC 20016

6a Name of contact person

Karen Hopfl-Harris

6b Contact person's address

4621 46th St. NW

Washington, DC 20016

7 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number

4621 46th Street, NW

City or town, state, and ZIP code

Washington, DC 20016

8 Type of report (check only one box)

☐ First quarterly report
(due by April 15)

☐ Second quarterly report
(due by July 15)

☐ Third quarterly report
(due by October 15)

☐ Year-end report
(due by January 31)

☒ Mid-year report (Non-election
year only-due by July 31)

☐ Monthly report for the month of:
(due by the 20th day following the month shown above, except the
December report, which is due by January 31)

☐ Pre-election report (due by the 12th or 15th day before the election)

(1) Type of election:

(2) Date of election:

(3) For the state of:

☐ Post-general election report (due by the 30th day after general election)

(1) Date of election:

(2) For the state of:

9 Total amount of reported contributions (total from all attached Schedules A). **9. \$ 27312**

10 Total amount of reported expenditures (total from all attached Schedules B). **10. \$ 18338**

Under penalties of perjury, I declare that I have examined this report, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.

Karen Hopfl-Harris

**Sign
Here**

Signature of authorized official

Date

Schedule A Itemized Contributions

Schedule A

Contributor's name, mailing address and ZIP code
 Mary Nichols
 435 South Irving
 Los Angeles, CA 90020

Name of contributor's employer
 State of California
 Contributor's occupation
 Secretary of Resources
 Aggregate contributions year-to-date
 \$ 1000

Amount of contribution
 \$ 1000
 Date of contribution
 04/07/2003

Contributor's name, mailing address and ZIP code
 Howard Lerner (in-kind contribution)
 1407 Hood Street
 Chicago, IL 60660

Name of contributor's employer
 Environmental Law and Policy Center
 Contributor's occupation
 Executive Director
 Aggregate contributions year-to-date
 \$ 312

Amount of contribution
 \$ 312
 Date of contribution
 05/18/2003

Contributor's name, mailing address and ZIP code
 Maurice Lazarus
 144 Brattle Street
 Cambridge, MA 02138

Name of contributor's employer
 none
 Contributor's occupation
 retired
 Aggregate contributions year-to-date
 \$ 1000

Amount of contribution
 \$ 1000
 Date of contribution
 06/30/2003

Contributor's name, mailing address and ZIP code
 Peter Fox-Penner
 300 E. Broad Street
 Falls Church, VA 22046

Name of contributor's employer
 The Brattle Group
 Contributor's occupation
 Principal
 Aggregate contributions year-to-date
 \$ 15000

Amount of contribution
 \$ 15000
 Date of contribution
 04/07/2003

Contributor's name, mailing address and ZIP code
 Frank Loy
 3230 Reservoir Road NW
 Washington, DC 20007

Name of contributor's employer
 none
 Contributor's occupation
 retired
 Aggregate contributions year-to-date
 \$ 5000

Amount of contribution
 \$ 5000
 Date of contribution
 06/18/2003

Contributor's name, mailing address and ZIP code
 Nicholas Butterworth
 93 Orchard Street
 New York, NY 10002

Name of contributor's employer
 self-employed
 Contributor's occupation
 consultant
 Aggregate contributions year-to-date
 \$ 5000

Amount of contribution
 \$ 5000
 Date of contribution
 05/28/2003

27044172112

Schedule B Itemized Expenditures

Schedule B

Recipient's name, mailing address and ZIP code Karen Hopfl-Harris 4621 46th St NW Washington, DC 20016	Name of recipient's employer self-employed Recipients's occupation consultant	Amount of Expenditure \$ 638 Date of expenditure 05/28/2003
Purpose of expenditure reimbursement for food, office supplies, web domain fees		
Recipient's name, mailing address and ZIP code Genesys Conferencing 9139 South Ridgeline Blvd Highlands Ranch, CO 80129	Name of recipient's employer N/A Recipients's occupation N/A	Amount of Expenditure \$ 618 Date of expenditure 06/25/2003
Purpose of expenditure phone		
Recipient's name, mailing address and ZIP code Perkins Cole, LLP 1201 Third Avenue Seattle, WA 98101	Name of recipient's employer N/A Recipients's occupation N/A	Amount of Expenditure \$ 3431 Date of expenditure 06/01/2003
Purpose of expenditure Legal Services		
Recipient's name, mailing address and ZIP code Karen Hopfl-Harris 4621 46th St NW Washington, DC 20016	Name of recipient's employer self-employed Recipients's occupation consultant	Amount of Expenditure \$ 3600 Date of expenditure 06/23/2003
Purpose of expenditure consulting		
Recipient's name, mailing address and ZIP code Karen Hopfl-Harris 4621 46th St NW Washington, DC 20016	Name of recipient's employer self-employed Recipients's occupation consultant	Amount of Expenditure \$ 3600 Date of expenditure 05/01/2003
Purpose of expenditure consulting		
Recipient's name, mailing address and ZIP code Karen Hopfl-Harris 4621 46th St NW Washington, DC 20016	Name of recipient's employer self-employed Recipients's occupation consultant	Amount of Expenditure \$ 3600 Date of expenditure 05/22/2003
Purpose of expenditure consulting		
Recipient's name, mailing address and ZIP code Perkins Cole, LLP 1201 Third Avenue Seattle, WA 98101	Name of recipient's employer N/A Recipients's occupation N/A	Amount of Expenditure \$ 825 Date of expenditure 04/10/2003
Purpose of expenditure Legal Services		
Recipient's name, mailing address and ZIP code Genesys Conferencing 9139 South Ridgeline Blvd Highlands Ranch, CO 80129	Name of recipient's employer N/A Recipients's occupation N/A	Amount of Expenditure \$ 808 Date of expenditure 05/23/2003
Purpose of expenditure phone (individual payments of \$294, \$186, \$328)		
Recipient's name, mailing address and ZIP code Perkins Cole, LLP 1201 Third Avenue Seattle, WA 98101	Name of recipient's employer N/A Recipients's occupation N/A	Amount of Expenditure \$ 1218 Date of expenditure 06/25/2003
Purpose of expenditure Legal Services		

27044172115

Form **8872**
(November 2002)

Department of the Treasury
Internal Revenue Service

Political Organization Report of Contributions and Expenditures

OMB No: 1545-1696

► See separate instructions.

A For the period beginning: 07/01/2003 and ending: 12/31/2003

B Check applicable box: ☒ Initial report ☒ Change of address ☐ Amended report ☐ Final report

1 Name of organization: Environment2004, Inc. Employer identification number: 47-0914198

2 Mailing address (P.O. box or number, street, and room or suite number)

733 15th Street NW, Suite 314

City or town, state, and ZIP code

Washington, DC 20005

3 E-mail address of organization:

khopfharris@environment2004.org

4 Date organization was formed:

03/20/2003

5a Name of custodian of records

Karen Hopfi-Harris

5a Custodian's address

733 15th Street NW, Suite 314

Washington, DC 20005

6a Name of contact person

Karen Hopfi-Harris

6b Contact person's address

733 15th Street NW, Suite 314

Washington, DC 20005

7 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number

733 15th Street NW, Suite 314

City or town, state, and ZIP code

Washington, DC 20005

8 Type of report (check only one box)

☐ First quarterly report

(due by April 15)

☐ Second quarterly report

(due by July 15)

☐ Third quarterly report

(due by October 15)

☒ Year-end report

(due by January 31)

☐ Mid-year report (Non-election

year only-due by July 31)

☐ Monthly report for the month of:

(due by the 20th day following the month shown above, except the December report, which is due by January 31)

☐ Pre-election report (due by the 12th or 15th day before the election)

(1) Type of election:

(2) Date of election:

(3) For the state of:

☐ Post-general election report (due by the 30th day after general election)

(1) Date of election:

(2) For the state of:

9 Total amount of reported contributions (total from all attached Schedules A) **9. \$ 196584**

10 Total amount of reported expenditures (total from all attached Schedules B) **10. \$ 165207**

Under penalties of perjury, I declare that I have examined this report, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.

Karen Hopfi-Harris

Sign
Here

Signature of authorized official

Date

Schedule A Itemized Contributions

Schedule A

Contributor's name, mailing address and ZIP code George Allen 3100 Foxhall Rd NW Washington, DC 20016	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code James Byrd 3315 Legation St NW Washington, DC 20015	Name of contributor's employer Miller Balis & O'Neil, PC Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Jessica Hobby Catto 200 Navarro St San Antonio, TX 78205	Name of contributor's employer self Contributor's occupation investor Aggregate contributions year-to-date \$ 20000	Amount of contribution \$ 20000 Date of contribution 11/12/2003
Contributor's name, mailing address and ZIP code Mike Eckhart 8807 Stonehaven Ct Potomac, MD 20854	Name of contributor's employer Solar Energy Management Contributor's occupation President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Helaine G. Elderkin 624.5 S. Pitt Street Alexandria, VA 22314	Name of contributor's employer Computer Sciences Corporation Contributor's occupation Deputy General Counsel Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/15/2003
Contributor's name, mailing address and ZIP code Theodore Henry 109 S. Castle St. Baltimore, MD 21231	Name of contributor's employer Theodore J. Henry Consulting Contributor's occupation Toxicologist and Community Involvement Specialist Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Kathleen LaMotte 5125 Joewood Drive Sanibel, FL 33957	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Thomas Lovejoy 8526 Georgetown Pike McLean, VA 22102	Name of contributor's employer Heinz Center Contributor's occupation President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Jan McFarland PO Box 26 Tracys Landing, MD 20779	Name of contributor's employer Cal SEID Contributor's occupation Executive Director Aggregate contributions year-to-date \$ 500	Amount of contribution \$ 500 Date of contribution 09/05/2003
Contributor's name, mailing address and ZIP code William Miller 7317 Bannockburn Ridge Court Bethesda, MD 20817	Name of contributor's employer Miller Balis & O'Neil, PC Contributor's occupation attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Loretta Neumann 7124 Piney Branch Rd, NW Washington, DC 20012	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 400	Amount of contribution \$ 400 Date of contribution 10/20/2003

27094172115

Contributor's name, mailing address and ZIP code
Andrew Otis
39A Gramercy Park North, #1-C
New York, NY 10010

Name of contributor's employer
Curtis, Mullet-Prevost, Colt & Mosle LLP
Contributor's occupation
Attorney
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
07/21/2003

Contributor's name, mailing address and ZIP code
Simon Rich
620 Poplar Neck Road
Edenton, NC 27932

Name of contributor's employer
self
Contributor's occupation
farmer
Aggregate contributions year-to-date
\$ 5000

Amount of contribution
\$ 5000
Date of contribution
11/21/2003

Contributor's name, mailing address and ZIP code
Jonathan Rose
33 Katonah Ave
Katonah, NY 10536

Name of contributor's employer
Jonathan Rose Companies
Contributor's occupation
President
Aggregate contributions year-to-date
\$ 25000

Amount of contribution
\$ 25000
Date of contribution
11/07/2003

Contributor's name, mailing address and ZIP code
Jocelyn Sladen
6712 Blantyre Road
Warrentown, VA 20187

Name of contributor's employer
self
Contributor's occupation
investor
Aggregate contributions year-to-date
\$ 1000

Amount of contribution
\$ 1000
Date of contribution
10/27/2003

Contributor's name, mailing address and ZIP code
Stanton Smullens
1710 Pine St
Philadelphia, PA 19103

Name of contributor's employer
Jefferson Health Systems
Contributor's occupation
Physician - Chief Medical Officer
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
11/21/2003

Contributor's name, mailing address and ZIP code
Judith Levin
13 Grafton St.
Chevy Chase, MD 20815

Name of contributor's employer
self
Contributor's occupation
real estate agent
Aggregate contributions year-to-date
\$ 500

Amount of contribution
\$ 500
Date of contribution
10/15/2003

Contributor's name, mailing address and ZIP code
Katherine Morgan
4901 Indian Lane NW
Washington, DC 20016

Name of contributor's employer
information requested
Contributor's occupation
information requested
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
07/21/2003

Contributor's name, mailing address and ZIP code
Karen Skelton - in kind
1100 11th Street, Suite 200
Sacramento, CA 95814

Name of contributor's employer
Dewey Square
Contributor's occupation
Principal
Aggregate contributions year-to-date
\$ 1067

Amount of contribution
\$ 1067
Date of contribution
10/15/2003

Contributor's name, mailing address and ZIP code
Joseph Caves
3333 Sunnybrook Lane
Sacramento, CA 95608

Name of contributor's employer
Conservation Strategy Group
Contributor's occupation
Consultant
Aggregate contributions year-to-date
\$ 2500

Amount of contribution
\$ 2500
Date of contribution
09/05/2003

Contributor's name, mailing address and ZIP code
Walter Cohen
200 Locust St
Harrisburg, PA 17110

Name of contributor's employer
Obermeyer Rebmann Maxwell and Hippel LLP
Contributor's occupation
Attorney
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/15/2003

Contributor's name, mailing address and ZIP code
Louis Cohen
1824 Phelps Pl NW
Washington, DC 20008

Name of contributor's employer
Wilmer Cutler and Pickering
Contributor's occupation
Attorney
Aggregate contributions year-to-date
\$ 1000

Amount of contribution
\$ 1000
Date of contribution
10/20/2003

Contributor's name, mailing address and ZIP code Joan Dubinsky 3316 McComas Ave Kensington, MD 20895	Name of contributor's employer the Rosentreter Group Contributor's occupation President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code William Duhamel PO Box 1760 Rapid City, SD 57709	Name of contributor's employer Farallon Capital Contributor's occupation Managing Partner Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 09/05/2003
Contributor's name, mailing address and ZIP code Marinn Carlson 3616 Connecticut Ave NW #308 Washington, DC 20008	Name of contributor's employer Sidley Austin Brown & Wood, LLP Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Nancy Graham PO Box 87 Royal Oak, MD 21662	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 250	Amount of contribution \$ 250 Date of contribution 11/12/2003
Contributor's name, mailing address and ZIP code John Gregg 6913 Rannoch Road Bethesda, MD 20817	Name of contributor's employer Miller Ballis & O'Neil 200, PC Contributor's occupation attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Tom Martin 3318A Wilkins Dr Falls Church, VA 22041	Name of contributor's employer National Parks Conservation Association Contributor's occupation Executive Vice President Aggregate contributions year-to-date \$ 400	Amount of contribution \$ 400 Date of contribution 10/28/2003
Contributor's name, mailing address and ZIP code Alan Miller 6817 Old Stage Road Rockville, MD 20852	Name of contributor's employer World Bank Contributor's occupation Senior Environmental Specialist Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Roger Sant 1001 N. 19th St., 20th Floor Arlington, VA 22209	Name of contributor's employer The AES Corporation Contributor's occupation CEO Aggregate contributions year-to-date \$ 20000	Amount of contribution \$ 20000 Date of contribution 12/19/2003
Contributor's name, mailing address and ZIP code Renee Stone 3507 Woodbine St Chevy Chase, MD 20815	Name of contributor's employer Wyss Foundation Contributor's occupation Director of Grantmaking Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Mary Nichols - in kind contribution 435 South Irving Los Angeles, CA 90020	Name of contributor's employer State of CA Contributor's occupation Secretary of Resources Aggregate contributions year-to-date \$ 1769	Amount of contribution \$ 769 Date of contribution 08/11/2003
Contributor's name, mailing address and ZIP code E.S. Porter 3122 P St NW Washington, DC 20007	Name of contributor's employer Information requested Contributor's occupation Information requested Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 12/18/2003

Contributor's name, mailing address and ZIP code Brett King Milbank Hong Kong, 1 Chase Manhattan Plaza New York, NY 10005	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 08/18/2003
Contributor's name, mailing address and ZIP code Beverly Savage 1004 Garden St Hoboken, NJ 07030	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 07/21/2003
Contributor's name, mailing address and ZIP code Lawrence Linden 41 Riverside Drive New York, NY 10024	Name of contributor's employer Goldman Sachs Contributor's occupation Partner Aggregate contributions year-to-date \$ 5000	Amount of contribution \$ 5000 Date of contribution 08/29/2003
Contributor's name, mailing address and ZIP code Michele Altemus 9909 Ashburton Lane Bethesda, MD 20817	Name of contributor's employer Peyser Associates Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Sean Beeny 5605 Park Street Chevy Chase, MD 20815	Name of contributor's employer Miller Ball & O'Neil PC Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Sam Behrends 322 Boyd Avenue Silver Spring, MD 20912	Name of contributor's employer LeBoeuf, Lamb, Greene and MacRae Contributor's occupation Attorney Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Kathyanne Cohen 226 E. 26th St Apt 3A New York, NY 10010	Name of contributor's employer O'Melveny & Myers Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Ralph Davidson 4524 Garfield St NW Washington, DC 20007	Name of contributor's employer self Contributor's occupation consultant Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 11/21/2003
Contributor's name, mailing address and ZIP code Jeff Dachis 14 Prince Street New York, NY 10012	Name of contributor's employer self Contributor's occupation Entrepreneur Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 07/21/2003
Contributor's name, mailing address and ZIP code Laura Feldbaum 8311 Still Spring Court Bethesda, MD 20817	Name of contributor's employer The Women's Center Contributor's occupation psychotherapist Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/27/2003
Contributor's name, mailing address and ZIP code J.L. Harrington 3036 New Mexico Ave NW Washington, DC 20016	Name of contributor's employer self Contributor's occupation attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003

Contributor's name, mailing address and ZIP code Winston Hickox 700 Walnut Glen Ct Sacramento, CA 95864	Name of contributor's employer State of CA Contributor's occupation Agency Secretary - CalEPA Aggregate contributions year-to-date \$ 2400	Amount of contribution \$ 2400 Date of contribution 09/05/2003
Contributor's name, mailing address and ZIP code Charles Hopfl 2211 Broadway New York, NY 10024	Name of contributor's employer self Contributor's occupation Attorney Aggregate contributions year-to-date \$ 300	Amount of contribution \$ 300 Date of contribution 07/21/2003
Contributor's name, mailing address and ZIP code Susan Kelly 4809 North 25th St Arlington, VA 22207	Name of contributor's employer Miller Balis & O'Neil, PC Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Charles Landgraf 7303 Peter Place McLean, VA 22102	Name of contributor's employer LeBoeuf, Lamb, Greene and MacRae Contributor's occupation Partner Aggregate contributions year-to-date \$ 500	Amount of contribution \$ 500 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Lira Lee 202 East 76th St New York, NY 10021	Name of contributor's employer Goldman Sachs Contributor's occupation Vice President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/27/2003
Contributor's name, mailing address and ZIP code Leslie Lepow 601 13th Street NW Ste 1200 Washington, DC 20008	Name of contributor's employer Jenner and Block Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Alyce K. Ostrow 6401 81st Street Cabin John, MD 20818	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Daniel Seligman 1827 Belmont Rd NW Washington, DC 20009	Name of contributor's employer Sierra Club Contributor's occupation Sr. Trade Fellow Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Molly Sheehan 23 Sutton Place South, PHH New York, NY 10022	Name of contributor's employer Worldwatch Institute Contributor's occupation Research/Writer Aggregate contributions year-to-date \$ 500	Amount of contribution \$ 500 Date of contribution 07/21/2003
Contributor's name, mailing address and ZIP code Bruce Spiva 1718 Crestwood Drive NW Washington, DC 20011	Name of contributor's employer Jenkins and Block, LLC Contributor's occupation Partner Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Mrs. John Wing 1233 Crain St Evanston, IL 60202	Name of contributor's employer retired Contributor's occupation attorney Aggregate contributions year-to-date \$ 5000	Amount of contribution \$ 5000 Date of contribution 07/26/2003

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Contributor's name, mailing address and ZIP code Clean Power Campaign 1100 11th Street, Suite 321 Sacramento, CA 95814	Name of contributor's employer n/a Contributor's occupation n/a Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 09/12/2003
Contributor's name, mailing address and ZIP code Old Ebbitt Grill - in kind 675 15th St NW Washington, DC 20005	Name of contributor's employer n/a Contributor's occupation n/a Aggregate contributions year-to-date \$ 13416	Amount of contribution \$ 13416 Date of contribution 10/15/2003
Contributor's name, mailing address and ZIP code Arnold Spellun 320 West 80th St New York, NY 10024	Name of contributor's employer Reed Smith LLP Contributor's occupation Counsel Aggregate contributions year-to-date \$ 5000	Amount of contribution \$ 5000 Date of contribution 12/23/2003
Contributor's name, mailing address and ZIP code Chandanie Bolejue 1855 Calvert St NW Washington, DC 20009	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Barbara Bramble 1318 22nd St NW Apt 303 Washington, DC 20037	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/28/2003
Contributor's name, mailing address and ZIP code Martin Ogle 2860 Marcey Road Arlington, VA 22207	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Mellanie Beller 16 E Howell Alexandria, VA 22301	Name of contributor's employer Russ Reid Company Contributor's occupation Vice President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Albert Beveridge 2921 44th Place NW Washington, DC 20016	Name of contributor's employer Beveridge & Diamond, PC Contributor's occupation Senior Counsel Aggregate contributions year-to-date \$ 250	Amount of contribution \$ 250 Date of contribution 10/21/2003
Contributor's name, mailing address and ZIP code Terry Black 107 Roberts Court Alexandria, VA 22314	Name of contributor's employer natural Resources Defense Council Contributor's occupation Project Director Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/15/2003
Contributor's name, mailing address and ZIP code Lester Brown 1350 Connecticut Ave NW Washington, DC 20036	Name of contributor's employer Earth Policy Institute Contributor's occupation President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Sarah Epstein 5620 Oregon Ave NW Washington, DC 20015	Name of contributor's employer self Contributor's occupation consultant Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 11/07/2003

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Contributor's name, mailing address and ZIP code
Harriet Mayor Fulbright
1311 North Lynnbrook Drive
Arlington, VA 22201

Name of contributor's employer
self
Contributor's occupation
lecturer
Aggregate contributions year-to-date
\$ 1000

Amount of contribution
\$ 1000
Date of contribution
10/20/2003

Contributor's name, mailing address and ZIP code
Robert Herzstein
4710 Woodway Lane, NW
Washington, DC 20016

Name of contributor's employer
Midler & Cheavlier
Contributor's occupation
Attorney
Aggregate contributions year-to-date
\$ 1000

Amount of contribution
\$ 1000
Date of contribution
10/28/2003

Contributor's name, mailing address and ZIP code
William Meadows
1015 33rd St NW #702
Washington, DC 20007

Name of contributor's employer
The Wilderness Society
Contributor's occupation
President
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
11/25/2003

Contributor's name, mailing address and ZIP code
Adam Rosman
1700 17th St NW #505
Washington, DC 20009

Name of contributor's employer
Zuckerman Spaeder, LLP
Contributor's occupation
Attorney
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/07/2003

Contributor's name, mailing address and ZIP code
Byron Swift
3415 Volta Place NW
Washington, DC 20007

Name of contributor's employer
Environmental Law Institute
Contributor's occupation
Senior Attorney and Director, International Program
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/15/2003

Contributor's name, mailing address and ZIP code
Tim Wierzbicki
324 9th St SE
Washington, DC 20003

Name of contributor's employer
Lawyers Committee for Civil Rights
Contributor's occupation
Chief Development Officer
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/20/2003

Contributor's name, mailing address and ZIP code
Brooks Yeager
10608 Woodsdale Drive
Silver Spring, MD 20901

Name of contributor's employer
World Wildlife Fund
Contributor's occupation
VP Global Threats Program
Aggregate contributions year-to-date
\$ 400

Amount of contribution
\$ 400
Date of contribution
10/20/2003

Contributor's name, mailing address and ZIP code
Nelson Talbott
37070 Shaker Blvd
Chagrin Falls, OH 44022

Name of contributor's employer
information requested
Contributor's occupation
information requested
Aggregate contributions year-to-date
\$ 1000

Amount of contribution
\$ 1000
Date of contribution
10/08/2003

Contributor's name, mailing address and ZIP code
James Durling
7113 46th Street
Chevy Chase, MD 20815

Name of contributor's employer
information requested
Contributor's occupation
information requested
Aggregate contributions year-to-date
\$ 500

Amount of contribution
\$ 500
Date of contribution
10/15/2003

Contributor's name, mailing address and ZIP code
Edward Morehouse
4307 Bushie Ct
Alexandria, VA 22312

Name of contributor's employer
information requested
Contributor's occupation
information requested
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/27/2003

Contributor's name, mailing address and ZIP code
Don Baur
2109 Forest Hill Rd
Alexandria, VA 22307

Name of contributor's employer
Perkins Cole
Contributor's occupation
Attorney
Aggregate contributions year-to-date
\$ 250

Amount of contribution
\$ 250
Date of contribution
10/20/2003

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Contributor's name, mailing address and ZIP code Kenneth Berlin 7106 Arrowood Rd Bethesda, MD 20817	Name of contributor's employer Skadden, Arps, Slate, Meagher & Flom LLP Contributor's occupation Attorney Aggregate contributions year-to-date \$ 5000	Amount of contribution \$ 5000 Date of contribution 07/26/2003
Contributor's name, mailing address and ZIP code Ann Crittenden 3412 Lowell St NW Washington, DC 20016	Name of contributor's employer self Contributor's occupation writer Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/27/2003
Contributor's name, mailing address and ZIP code Rodger Digilio 624 S. Pitt St Alexandria, VA 22301	Name of contributor's employer OTV, Inc. Contributor's occupation Real Estate Developer Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/15/2003
Contributor's name, mailing address and ZIP code Charlotte Evans North Hill 865 Central Ave Needham, MA 02492	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 08/29/2003
Contributor's name, mailing address and ZIP code John Flicker 125 E. 63rd St 8C New York, NY 10021	Name of contributor's employer National Audubon Society Contributor's occupation President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code S. David Freeman 901 P Street, Suite 142A Sacramento, CA 95814	Name of contributor's employer State of CA Contributor's occupation Chairman of CA Power Authority Aggregate contributions year-to-date \$ 500	Amount of contribution \$ 500 Date of contribution 09/05/2003
Contributor's name, mailing address and ZIP code John Northington 3318 N. Woodrow St Arlington, VA 22207	Name of contributor's employer National Environmental Strategies Contributor's occupation Vice President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Jana Prewitt 3906 Quisenberry Drive Alexandria, VA 22309	Name of contributor's employer self Contributor's occupation consultant Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Joe Romm 2922 28th St., NW Washington, DC 20008	Name of contributor's employer G.E.T.F. Contributor's occupation Executive Director Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Jeff Seabright 113 Cox Ave Armonk, NY 10504	Name of contributor's employer Green Strategies Contributor's occupation Director Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 09/12/2003
Contributor's name, mailing address and ZIP code Sandra Smithy 712 W. Washington St. Ann Arbor, MI 48103	Name of contributor's employer C.S. Mott Foundation Contributor's occupation Program Officer, Environment Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003

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Contributor's name, mailing address and ZIP code Mary Swift 33195 Millville Rd Upperville, VA 20184	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 11/21/2003
Contributor's name, mailing address and ZIP code Jennone R. Walker 3026 Que St., NW Washington, DC 20007	Name of contributor's employer retired Contributor's occupation diplomat Aggregate contributions year-to-date \$ 250	Amount of contribution \$ 250 Date of contribution 11/25/2003
Contributor's name, mailing address and ZIP code Charles Rawls 2416 Cameron Mills Rd. Alexandria, VA 22302	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 12/12/2003
Contributor's name, mailing address and ZIP code Thomas Rietano 1422 33rd St NW Washington, DC 20007	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/27/2003
Contributor's name, mailing address and ZIP code Amy Edwards 4812 Fort Sumner Dr Bethesda, MD 20816	Name of contributor's employer Holland & Knight Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Kyle Danish 4441 P St NW Washington, DC 20007	Name of contributor's employer Van Ness Feldman Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Ivan Gayler 1400 Maiden Lane Del Mar, CA 92014	Name of contributor's employer Del Mar Partnership Contributor's occupation President Aggregate contributions year-to-date \$ 10000	Amount of contribution \$ 10000 Date of contribution 11/21/2003
Contributor's name, mailing address and ZIP code James Gilliland 60 Morningside Park Memphis, TN 38104	Name of contributor's employer self Contributor's occupation attorney Aggregate contributions year-to-date \$ 250	Amount of contribution \$ 250 Date of contribution 07/21/2003
Contributor's name, mailing address and ZIP code Sidney Harman 63 Crest Rd Rolling Hills, CA 90274	Name of contributor's employer Harman International Contributor's occupation CEO Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 12/05/2003
Contributor's name, mailing address and ZIP code David Hayes 2817 Birchwood Circle Arlington, VA 22207	Name of contributor's employer Latham Watkins Contributor's occupation attorney Aggregate contributions year-to-date \$ 5000	Amount of contribution \$ 5000 Date of contribution 08/13/2003
Contributor's name, mailing address and ZIP code Ronald Keeshan PO Box 921 Friday Harbor, WA 98250	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 2000	Amount of contribution \$ 2000 Date of contribution 11/21/2003

Contributor's name, mailing address and ZIP code Gordon Litwin 60 Park Place, Suite 1114 Newark, NJ 07102	Name of contributor's employer Ansell, Zaro Grimm & Aaron Contributor's occupation Attorney Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code Elizabeth Midgley 2715 36th Place NW Washington, DC 20007	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 500	Amount of contribution \$ 500 Date of contribution 11/03/2003
Contributor's name, mailing address and ZIP code Theodore Miles 2115 Yorktown RD NW Washington, DC 20012	Name of contributor's employer DC Dept of Insurance & Securities Regulation Contributor's occupation attorney Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 11/07/2003
Contributor's name, mailing address and ZIP code Ann Pincus 3202 Klinge Road NW Washington, DC 20008	Name of contributor's employer Center for Public Integrity Contributor's occupation Dir of Communications Aggregate contributions year-to-date \$ 300	Amount of contribution \$ 300 Date of contribution 10/27/2003
Contributor's name, mailing address and ZIP code Wendy Gordan Rockefeller 155 91st St New York, NY 10128	Name of contributor's employer Green Guide Institute Contributor's occupation Executive Director Aggregate contributions year-to-date \$ 5000	Amount of contribution \$ 5000 Date of contribution 12/19/2003
Contributor's name, mailing address and ZIP code Jacob Scherr 3808 Garfield St NW Washington, DC 20007	Name of contributor's employer NRDC Contributor's occupation Senior Attorney and Director, International Program Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Janice Schneider 3721 Van Ness St NW Washington, DC 20016	Name of contributor's employer Latham and Watkins Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Patricia Sinicropi 2922 28th St., NW Washington, DC 20008	Name of contributor's employer Rapoza Associates Contributor's occupation Lobbyist Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Sally Troyer 5514 Cedar Parkway Chevy Chase, MD 20815	Name of contributor's employer Gallery Contributor's occupation Gallery Proprieter Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/28/2003
Contributor's name, mailing address and ZIP code Donald Verrilli, Jr. 601 Thirteenth Street, N.W., 12th Fl Washington, DC 20005	Name of contributor's employer Jenner & Block Contributor's occupation Partner Aggregate contributions year-to-date \$ 400	Amount of contribution \$ 400 Date of contribution 10/10/2003
Contributor's name, mailing address and ZIP code Susan Rappaport 1619 31st St. NW Washington, DC 20007	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 300	Amount of contribution \$ 300 Date of contribution 11/05/2003

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Contributor's name, mailing address and ZIP code Timothy Henry 6905 Wilson Lane Bethesda, MD 20817	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 11/21/2003
Contributor's name, mailing address and ZIP code Joe McDonald 3911 Langley Ct., N.W. Washington, DC 20016	Name of contributor's employer information requested Contributor's occupation information requested Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code Timothy Seldes 50 W 29th St Apt 7E New York, NY 10001	Name of contributor's employer information requested Contributor's occupation literary agent Aggregate contributions year-to-date \$ 250	Amount of contribution \$ 250 Date of contribution 11/17/2003
Contributor's name, mailing address and ZIP code Edward Stettinius 2226 Hall PI NW Washington, DC 20007	Name of contributor's employer Equinix Contributor's occupation Marketing Aggregate contributions year-to-date \$ 250	Amount of contribution \$ 250 Date of contribution 11/21/2003
Contributor's name, mailing address and ZIP code Mike Boots 107 Park Valley Rd. Silver Spring, MD 20910	Name of contributor's employer Gov. Gray Davis Contributor's occupation Federal Advisor Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code James Choukas-Bradley 7100 Oakridge Ave Chevy Chase, MD 20815	Name of contributor's employer Miller Balis & O'Neil PC Contributor's occupation Principal Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/01/2003
Contributor's name, mailing address and ZIP code James Gilliland 60 Morningside Park Memphis, TN 38104	Name of contributor's employer self Contributor's occupation attorney Aggregate contributions year-to-date \$ 500	Amount of contribution \$ 250 Date of contribution 11/07/2003
Contributor's name, mailing address and ZIP code Lois Giovinetto 7504 Sweetbriar Dr College Park, MD 20740	Name of contributor's employer Nerological Medicine Contributor's occupation medical technologist Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 11/07/2003
Contributor's name, mailing address and ZIP code Robert Hickmott 316 5th St SE Washington, DC 20003	Name of contributor's employer The Smith Free Group Contributor's occupation Senior Vice President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003
Contributor's name, mailing address and ZIP code John Koskinen 1846 Redwood Terrace NW Washington, DC 20012	Name of contributor's employer none Contributor's occupation unemployed Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 11/03/2003
Contributor's name, mailing address and ZIP code John Newhouse 3038 P Street NW Washington, DC 20007	Name of contributor's employer Center for Defense Information Contributor's occupation Senior Fellow Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/20/2003

Contributor's name, mailing address and ZIP code Matthew Nicely 2432 39th Street NW Washington, DC 20007	Name of contributor's employer Willkie Farr & Gallagher Contributor's occupation Special Counsel Aggregate contributions year-to-date \$ 500	Amount of contribution \$ 500 Date of contribution 07/28/2003
Contributor's name, mailing address and ZIP code Lois Schiffer 4640 Brandywine St. NW Washington, DC 20016	Name of contributor's employer Baach Robinson & Lewis PLLC Contributor's occupation Attorney Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/15/2003
Contributor's name, mailing address and ZIP code Anne Shields 4 West Kirke St Chevy Chase, MD 20815	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/15/2003
Contributor's name, mailing address and ZIP code Robert Victor 3450 Ordway Street Washington, DC 20016	Name of contributor's employer Boston Consulting Group Contributor's occupation Vice President Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Cynthia Wilson 303 Commonwealth Ave Alexandria, VA 22301	Name of contributor's employer American Farmland Trust Contributor's occupation Development Officer Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/27/2003
Contributor's name, mailing address and ZIP code Law Offices of Remy, Thomas, Moose, & Manley, LLP 455 Capitol Mall, Suite 210 Sacramento, CA 95814	Name of contributor's employer n/a Contributor's occupation n/a Aggregate contributions year-to-date \$ 2500	Amount of contribution \$ 2500 Date of contribution 09/12/2003
Contributor's name, mailing address and ZIP code Frank Loy - In kind contribution 3230 Reservoir Road NW Washington, DC 20007	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 14165	Amount of contribution \$ 9165 Date of contribution 11/18/2003
Contributor's name, mailing address and ZIP code Susan Callegari 1401 Taft St Apt 1307 Arlinton, VA 22201	Name of contributor's employer none Contributor's occupation retired Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/07/2003
Contributor's name, mailing address and ZIP code Brian Conboy 2330 Wyoming Ave NW Washington, DC 20008	Name of contributor's employer Willkie Farr & Gallagher Contributor's occupation Attorney Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 12/19/2003
Contributor's name, mailing address and ZIP code Tom Cors 5726 Arlington Blvd Arlington, VA 22204	Name of contributor's employer Altarum Institute Contributor's occupation Policy Advisor Aggregate contributions year-to-date \$ 200	Amount of contribution \$ 200 Date of contribution 10/15/2003
Contributor's name, mailing address and ZIP code Robert Epstein 618 Santa Barbara Road Berkeley, CA 94707	Name of contributor's employer self Contributor's occupation retired Aggregate contributions year-to-date \$ 1000	Amount of contribution \$ 1000 Date of contribution 09/05/2003

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Contributor's name, mailing address and ZIP code
Deborah Harding
2500 Q Street, NW #444
Washington, DC 20007

Name of contributor's employer
Open Society Institute
Contributor's occupation
Non-Profit manager
Aggregate contributions year-to-date
\$ 1000

Amount of contribution
\$ 1000
Date of contribution
10/20/2003

Contributor's name, mailing address and ZIP code
Phillip Isenberg
428 J St
Sacramento, CA 95814

Name of contributor's employer
Miller Owen & Trost
Contributor's occupation
Attorney
Aggregate contributions year-to-date
\$ 500

Amount of contribution
\$ 500
Date of contribution
09/05/2003

Contributor's name, mailing address and ZIP code
Howard Learner
1407 W. Hood
Chicago, IL 60660

Name of contributor's employer
Environmental Law and Policy Center
Contributor's occupation
Executive Director
Aggregate contributions year-to-date
\$ 1000

Amount of contribution
\$ 1000
Date of contribution
07/26/2003

Contributor's name, mailing address and ZIP code
Betsy Loyless
4849 Langdrum Lane
Bethesda, MD 20815

Name of contributor's employer
League of Conservation Voters
Contributor's occupation
VP Policy
Aggregate contributions year-to-date
\$ 250

Amount of contribution
\$ 250
Date of contribution
10/15/2003

Contributor's name, mailing address and ZIP code
Anne Luzzatto
120 Central Park South
New York, NY 10019

Name of contributor's employer
Council on Foreign Relations
Contributor's occupation
attorney
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
07/21/2003

Contributor's name, mailing address and ZIP code
Alexander Shakow
4001 Dresden St.
Kensington, MD 20895

Name of contributor's employer
none
Contributor's occupation
retired
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/27/2003

Contributor's name, mailing address and ZIP code
Charlotte Streck
1721 Newton St NW
Washington, DC 20010

Name of contributor's employer
German Daily
Contributor's occupation
US Correspondant
Aggregate contributions year-to-date
\$ 275

Amount of contribution
\$ 275
Date of contribution
10/20/2003

Contributor's name, mailing address and ZIP code
Rebecca Wodder
6106 Union Camp Drive
Fairfax Station, VA 22039

Name of contributor's employer
American Rivers
Contributor's occupation
President
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/15/2003

Contributor's name, mailing address and ZIP code
John Jameson
317 Pennsylvania Ave SE, 2d Fl
Washington, DC 20003

Name of contributor's employer
information requested
Contributor's occupation
information requested
Aggregate contributions year-to-date
\$ 250

Amount of contribution
\$ 250
Date of contribution
08/29/2003

Contributor's name, mailing address and ZIP code
Elissa Parker
3207 19th St NW
Washington, DC 20010

Name of contributor's employer
information requested
Contributor's occupation
information requested
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/20/2003

Contributor's name, mailing address and ZIP code
David J. van Hoogstraten
3533 Ordway St NW
Washington, DC 20016

Name of contributor's employer
US Department of State
Contributor's occupation
information requested
Aggregate contributions year-to-date
\$ 200

Amount of contribution
\$ 200
Date of contribution
10/07/2003

27094172127

Contributor's name, mailing address and ZIP code

Donna Gerstenfeld - in kind
1755 P St NW
Washington, DC 20036

Name of contributor's employer

none

Contributor's occupation

retired

Aggregate contributions year-to-date

\$ 3892

Amount of contribution

\$ 3892

Date of contribution

10/13/2003

Contributor's name, mailing address and ZIP code

V. John White & Associates
1100 11th Street, Suite 311
Sacramento, CA 95814

Name of contributor's employer

n/a

Contributor's occupation

n/a

Aggregate contributions year-to-date

\$ 500

Amount of contribution

\$ 500

Date of contribution

09/12/2003

27044172128

Schedule B Itemized Expenditures

Schedule B

Recipient's name, mailing address and ZIP code Cutting Edge Design 1606 20th St NW Washington, DC 20009	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 2177 Date of expenditure 10/13/2003
Purpose of expenditure design and layout of materials		
Recipient's name, mailing address and ZIP code Hopscotch Design 6621 1st St NW Washington, DC 20012	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 475 Date of expenditure 11/25/2003
Purpose of expenditure design services		
Recipient's name, mailing address and ZIP code Genesys Conferencing 9139 South Ridgeline Blvd Highlands Ranch, CO 80129	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 793 Date of expenditure 10/13/2003
Purpose of expenditure phone		
Recipient's name, mailing address and ZIP code Christine Stackpole 733 15th Street NW, Suite 314 Washington, DC 20005	Name of recipient's employer Environment2004 Recipients's occupation Development Director	Amount of Expenditure \$ 2991 Date of expenditure 12/23/2003
Purpose of expenditure salary & reimbursement (travel)		
Recipient's name, mailing address and ZIP code Aimee Christensen 733 15th Street NW, Suite 314 Washington, DC 20005	Name of recipient's employer Environment2004 Recipients's occupation Executive Director	Amount of Expenditure \$ 104 Date of expenditure 11/10/2003
Purpose of expenditure reimbursement (office supplies)		
Recipient's name, mailing address and ZIP code Aimee Christensen 733 15th Street NW, Suite 314 Washington, DC 20005	Name of recipient's employer Environment2004 Recipients's occupation Executive Director	Amount of Expenditure \$ 4909 Date of expenditure 11/25/2003
Purpose of expenditure payroll		
Recipient's name, mailing address and ZIP code Aimee Christensen 733 15th Street NW, Suite 314 Washington, DC 20005	Name of recipient's employer Environment2004 Recipients's occupation Executive Director	Amount of Expenditure \$ 8155 Date of expenditure 10/28/2003
Purpose of expenditure payroll		
Recipient's name, mailing address and ZIP code Aimee Christensen 733 15th Street NW, Suite 314 Washington, DC 20005	Name of recipient's employer Environment2004 Recipients's occupation Executive Director	Amount of Expenditure \$ 2287 Date of expenditure 12/10/2003
Purpose of expenditure reimbursement (travel, postage, supplies for fundraising event)		
Recipient's name, mailing address and ZIP code Aimee Christensen 733 15th Street NW, Suite 314 Washington, DC 20005	Name of recipient's employer Environment2004 Recipients's occupation Executive Director	Amount of Expenditure \$ 4909 Date of expenditure 12/23/2003
Purpose of expenditure payroll		
Recipient's name, mailing address and ZIP code Lyle Morton 733 15th Street NW, Suite 314 Washington, DC 20005	Name of recipient's employer Environment2004 Recipients's occupation program assistant	Amount of Expenditure \$ 123 Date of expenditure 11/13/2003

270A9172129

Purpose of expenditure
reimbursement (office supplies)

Recipient's name, mailing address and ZIP code
Lyle Morton
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 1500
Date of expenditure
11/25/2003

Purpose of expenditure
payroll

Recipient's name, mailing address and ZIP code
Lyle Morton
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 99
Date of expenditure
11/25/2003

Purpose of expenditure
reimbursement (office supplies)

Recipient's name, mailing address and ZIP code
Lyle Morton
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 1939
Date of expenditure
12/23/2003

Purpose of expenditure
payroll

Recipient's name, mailing address and ZIP code
Lyle Morton
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 900
Date of expenditure
12/31/2003

Purpose of expenditure
payroll

Recipient's name, mailing address and ZIP code
Lyle Morton
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 1079
Date of expenditure
11/04/2003

Purpose of expenditure
payroll

Recipient's name, mailing address and ZIP code
Liz Ryan
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 1653
Date of expenditure
10/28/2003

Purpose of expenditure
Payroll & reimbursements (office equipment)

Recipient's name, mailing address and ZIP code
Liz Ryan
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 1746
Date of expenditure
11/25/2003

Purpose of expenditure
payroll

Recipient's name, mailing address and ZIP code
Liz Ryan
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 22
Date of expenditure
11/25/2003

Purpose of expenditure
reimbursement (travel)

Recipient's name, mailing address and ZIP code
Liz Ryan
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 14
Date of expenditure
12/10/2003

Purpose of expenditure
reimbursement (travel)

Recipient's name, mailing address and ZIP code
Liz Ryan
733 15th Street NW, Suite 314
Washington, DC 20005

Name of recipient's employer
Environment2004
Recipients's occupation
program assistant

Amount of Expenditure
\$ 1746
Date of expenditure
12/23/2003

Purpose of expenditure
payroll

27044172131

Recipient's name, mailing address and ZIP code Byron Swift 2806 P St NW Washington, DC 20007	Name of recipient's employer self Recipients's occupation consultant	Amount of Expenditure \$ 1850 Date of expenditure 12/24/2003
Purpose of expenditure political consulting		
Recipient's name, mailing address and ZIP code Karen Hopfl-Harris 4621 46th St NW Washington, DC 20016	Name of recipient's employer self Recipients's occupation consultant	Amount of Expenditure \$ 6480 Date of expenditure 08/19/2003
Purpose of expenditure political consulting & legal services		
Recipient's name, mailing address and ZIP code Donna Gerstenfeld 1755 P St NW Washington, DC 20036	Name of recipient's employer none Recipients's occupation retired	Amount of Expenditure \$ 1330 Date of expenditure 10/27/2003
Purpose of expenditure reimbursements (supplies for fundraising event)		
Recipient's name, mailing address and ZIP code Andre Hovaguimian 818 18th St NW Washington, DC 20006	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 1000 Date of expenditure 12/18/2003
Purpose of expenditure office furniture		
Recipient's name, mailing address and ZIP code Bank One PO Box 15253 Wilmington, DE 19886	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 1271 Date of expenditure 12/10/2003
Purpose of expenditure credit card payment		
Recipient's name, mailing address and ZIP code Perkins Cole 1201 3rd Ave Seattle, WA 98101	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 1004 Date of expenditure 12/10/2003
Purpose of expenditure legal services		
Recipient's name, mailing address and ZIP code M&R Consulting 2120 L St. NW Washington, DC 20037	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 1500 Date of expenditure 09/03/2003
Purpose of expenditure Public relations consulting		
Recipient's name, mailing address and ZIP code Limbic Systems 2300 M Street NW, Suite 800 Washington, DC 20037	Name of recipient's employer n/a Recipients's occupation n/a	Amount of Expenditure \$ 13350 Date of expenditure 11/25/2003
Purpose of expenditure website design		
Recipient's name, mailing address and ZIP code Karen Hopfl-Harris 4621 46th St NW Washington, DC 20016	Name of recipient's employer self Recipients's occupation consultant	Amount of Expenditure \$ 6840 Date of expenditure 12/23/2003
Purpose of expenditure political consultant & legal services		
Recipient's name, mailing address and ZIP code Andrea Eisler 2426 19th Street NW Washington, DC 20009	Name of recipient's employer self Recipients's occupation consultant	Amount of Expenditure \$ 637 Date of expenditure 12/14/2003
Purpose of expenditure reimbursement (fundraising event supplies)		

Recipient's name, mailing address and ZIP code
Genesys Conferencing
9139 South Ridgeline Blvd
Highlands Ranch, CO 80129

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 1056
Date of expenditure
08/10/2003

Purpose of expenditure
phone

Recipient's name, mailing address and ZIP code
Chevy Chase Bank
PO Box 1296
Laurel, MD 20707

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 4228
Date of expenditure
11/10/2003

Purpose of expenditure
payroll taxes

Recipient's name, mailing address and ZIP code
Perkins Cole
1201 3rd Ave
Seattle, WA 98101

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 1325
Date of expenditure
10/13/2003

Purpose of expenditure
legal services

Recipient's name, mailing address and ZIP code
Old Ebbitt Grill
675 15th St NW
Washington, DC 20005

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 3613
Date of expenditure
10/15/2003

Purpose of expenditure
catering

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 6480
Date of expenditure
10/10/2003

Purpose of expenditure
political consulting and legal services

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 504
Date of expenditure
11/03/2003

Purpose of expenditure
reimbursement (photographic images)

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 158
Date of expenditure
11/10/2003

Purpose of expenditure
reimbursement (office expenses)

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 3120
Date of expenditure
12/31/2003

Purpose of expenditure
political consulting & legal services

Recipient's name, mailing address and ZIP code
John Morton
541 Sumner St.
Stoughton, MA 02072

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 990
Date of expenditure
11/11/2003

Purpose of expenditure
reimbursement - (office equipment)

Recipient's name, mailing address and ZIP code
Hopscotch Design
6621 1st St NW
Washington, DC 20012

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 2927
Date of expenditure
11/11/2003

Purpose of expenditure
design and printing services

27044172132

Recipient's name, mailing address and ZIP code
Chevy Chase Bank
PO Box 1296
Laurel, MD 20707

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 2765
Date of expenditure
12/15/2003

Purpose of expenditure
payroll taxes

Recipient's name, mailing address and ZIP code
Chevy Chase Bank
PO Box 1296
Laurel, MD 20707

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 6
Date of expenditure
10/31/2003

Purpose of expenditure
service phone

Recipient's name, mailing address and ZIP code
Technology Transition Corp
1800 M St NW
Washington, DC 20036

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 1806
Date of expenditure
11/11/2003

Purpose of expenditure
rent & office supplies

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 6480
Date of expenditure
11/19/2003

Purpose of expenditure
political consulting & legal services

Recipient's name, mailing address and ZIP code
Bill Ryan
1314 Locust Ave
Baltimore, MD 21204

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 1013
Date of expenditure
10/13/2003

Purpose of expenditure
reimbursements (office equipment)

Recipient's name, mailing address and ZIP code
Bill Ryan
1314 Locust Ave
Baltimore, MD 21204

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 647
Date of expenditure
12/10/2003

Purpose of expenditure
reimbursement (insurance premium)

Recipient's name, mailing address and ZIP code
Technology Transition Corp
1800 M St NW
Washington, DC 20036

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 923
Date of expenditure
09/26/2003

Purpose of expenditure
rent

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 156
Date of expenditure
11/03/2003

Purpose of expenditure
reimbursement (web hosting fee)

Recipient's name, mailing address and ZIP code
Donna Gerstenfeld
1755 P St NW
Washington, DC 20036

Name of recipient's employer
none
Recipients's occupation
retired

Amount of Expenditure
\$ 159
Date of expenditure
11/03/2003

Purpose of expenditure
reimbursements (supplies for fundraising event)

Recipient's name, mailing address and ZIP code
The Albright Group
901 15th St NW
Washington, DC 20005

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 816
Date of expenditure
12/24/2003

Purpose of expenditure
reimbursement (travel)

Recipient's name, mailing address and ZIP code
Technology Transition Corp
1800 M St NW
Washington, DC 20036

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 2000
Date of expenditure
10/15/2003

Purpose of expenditure
rent

Recipient's name, mailing address and ZIP code
Perkins Coie
1201 3rd Avenue
Seattle, WA 98101

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 4868
Date of expenditure
09/04/2003

Purpose of expenditure
legal services

Recipient's name, mailing address and ZIP code
Perkins Cole
1201 3rd Ave
Seattle, WA 98101

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 1020
Date of expenditure
11/25/2003

Purpose of expenditure
legal services

Recipient's name, mailing address and ZIP code
M & R Consulting
2120 L St. NW
Washington,, DC 20037

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 5000
Date of expenditure
12/10/2003

Purpose of expenditure
public relations consulting

Recipient's name, mailing address and ZIP code
Karen Hopf-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 6480
Date of expenditure
10/07/2003

Purpose of expenditure
political consulting and legal services

Recipient's name, mailing address and ZIP code
Genesys Conferencing
9139 South Ridgeline Blvd
Highlands Ranch, CO 80129

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 885
Date of expenditure
09/07/2003

Purpose of expenditure
phone

Recipient's name, mailing address and ZIP code
Chevy Chase Bank
PO Box 1296
Laurel, MD 20707

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 4428
Date of expenditure
12/31/2003

Purpose of expenditure
payroll taxes

Recipient's name, mailing address and ZIP code
Chevy Chase Bank
PO Box 1296
Laurel, MD 20707

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 6
Date of expenditure
10/14/2003

Purpose of expenditure
service charge

Recipient's name, mailing address and ZIP code
Bank One
PO Box 15253
Wilmington, DE 19886

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 5279
Date of expenditure
10/27/2003

Purpose of expenditure
credit card payment

Recipient's name, mailing address and ZIP code
Bank One
PO Box 15253
Wilmington, DE 19886

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 7530
Date of expenditure
12/31/2003

Purpose of expenditure
credit card payment

27044172134

Recipient's name, mailing address and ZIP code
15th & H Assoc
805 15th Street NW suite 230
Washington, DC 20005

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 4000
Date of expenditure
11/03/2003

Purpose of expenditure
rent

Recipient's name, mailing address and ZIP code
Limbic Systems
2300 M Street NW, Suite 800
Washington, DC 20037

Name of recipient's employer
n/a
Recipients's occupation
n/a

Amount of Expenditure
\$ 4500
Date of expenditure
08/10/2003

Purpose of expenditure
website design

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th St NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 6480
Date of expenditure
07/20/2003

Purpose of expenditure
political consulting & legal services

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th ST NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 178
Date of expenditure
07/25/2003

Purpose of expenditure
reimbursement (office supplies)

Recipient's name, mailing address and ZIP code
Karen Hopfl-Harris
4621 46th ST NW
Washington, DC 20016

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 50
Date of expenditure
12/10/2003

Purpose of expenditure
reimbursement (web hosting fee)

Recipient's name, mailing address and ZIP code
Andrea Eisler
2426 19th Street NW
Washington, DC 20009

Name of recipient's employer
self
Recipients's occupation
consultant

Amount of Expenditure
\$ 448
Date of expenditure
10/13/2003

Purpose of expenditure
reimbursement (fundraising event supplies)

27044172135

Attachment I

1

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

United States Senate

WASHINGTON, DC 20510

RECEIVED
FEC MAIL
OPERATIONS CENTER

2004 FEB 13 P 4: 03

2004 FEB 13 P 3: 20

February 12, 2004

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Dear Commissioners:

We are aware that the Commission may soon address questions that have been raised about get-out-the-vote, voter registration, and other activities conducted by political organizations, other than parties, and tax-exempt advocacy groups.

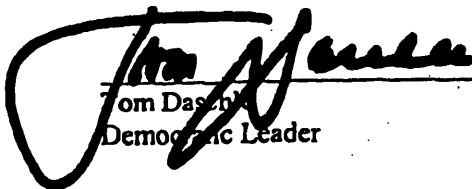
In the course of the public discussion of these issues, however, claims have been made about the support provided by the Bipartisan Campaign Reform Act ("BCRA") legislation for these initiatives. One Commissioner, in a recent letter to *Roll Call*, stated:

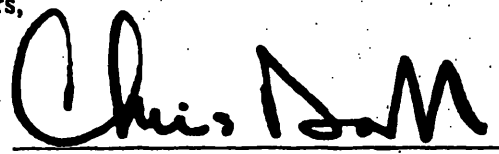
At the very least, serious questions exist whether outside groups are circumventing the McCain-Feingold law, and these must be addressed. In the weeks ahead, it will be critical that the sponsors of the McCain-Feingold law indicate whether they believe outside tax-exempt groups can legally spend unlimited soft money on election-related activities in the place of the national political parties under the new law.

We are writing to say for the record that, whatever decisions the Commission chooses to make, BCRA reflects in very clear and specific terms the choices that Congress made in reforming our federal campaign finance laws. Our principal concern was the soft money solicited, received, directed and spent by parties and federal elected officials – money that presents the clearest danger of conflict of interest, in fact or appearance. With the exception of "electioneering communications," the law did not aim similar restrictions at political organizations or tax-exempt groups that are neither controlled by, nor coordinated with, parties or candidates.

If the Commission chooses to impose new restrictions on the programs and activities of these groups, it should not proceed on the basis of some perceived mandate on this issue from the Congress in BCRA.

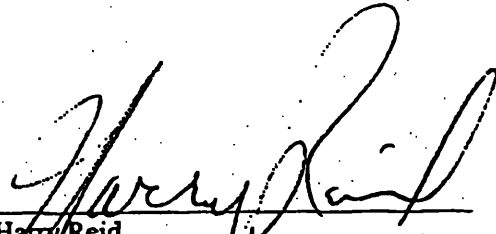
Very truly yours,

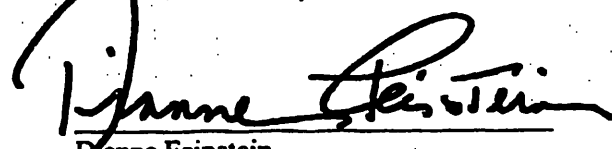

Tom Daschle
Democratic Leader


Christopher J. Dodd
Ranking Member
Committee on Rules and Administration


27044172137

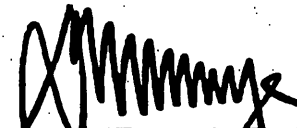
February 12, 2004
Page 2

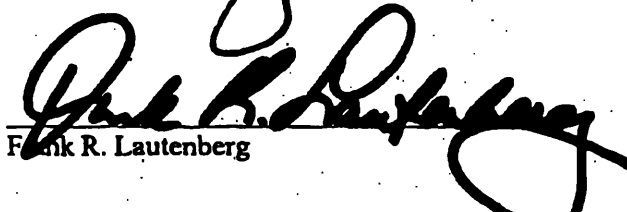

Harry Reid
Assistant Democratic Leader


Dianne Feinstein


Thomas R. Carper


Richard J. Durbin


Daniel K. Inouye


Frank R. Lautenberg

27044172138



Congress of the United States

House of Representatives

Washington, DC 20515

February 10, 2004

Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463


Dear Commissioners:

We are aware that the Commission may soon address questions regarding get-out-the-vote, voter registration, and other activities conducted by political organizations (other than political parties) and public-advocacy groups. We note from the public discussion that various claims have been made that the McCain-Feingold legislation (BCRA) is the basis for these initiatives. One Commissioner, in a recent letter to Roll Call, stated:


"At the very least, serious questions exist whether outside groups are circumventing the McCain-Feingold law, and these questions must be addressed. In the weeks ahead, it will be critical that the sponsors of the McCain-Feingold law indicate whether they believe outside tax-exempt groups can legally spend unlimited soft money on election-related activities in the place of the national political parties under the new law." (Roll Call, January 27, 2004 at page 4.)

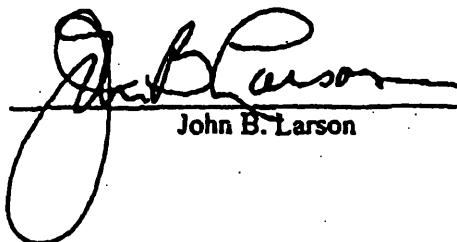
We are writing to say for the record that, when we voted for BCRA, we voted to get federal elected officials and political parties out of the business of raising and spending soft money – monies that presented the clearest danger of creating the fact or appearance of corruption in our government. The law did not aim similar restrictions at other political organizations or public-advocacy groups, so long as they are neither controlled by, nor coordinate their activities with political parties, candidates, office holders or their agents. In fact, it was our hope that BCRA would reinvigorate grassroots organizations to participate in the political process.

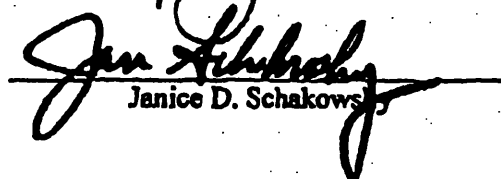
Whatever direction the Commission takes, BCRA reflects, in very clear and specific terms, the choices enacted by Congress to reform our federal campaign finance laws. While we do not express an opinion about actions the Commission may or may not take, we expect the Commission, as an independent agency, to exercise its authority consistent with the law and the Constitutional rights of the citizenry to fully participate in the political process by way of political organizations. And while the Commission may choose to impose new restrictions on the programs and activities of these groups, such restrictions should be applied fairly and consistently, and the agency should not proceed on the basis of some misperceived mandates from the Congress, which some have read into the McCain-Feingold legislation.


Nancy Pelosi

Sincerely


Steny Hoyer


John B. Larson


Janice D. Schakowsky

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Letter to FEC Commissioners
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Bill Russell Jr

Paul E. Kayser

Willie

William L. Pratt

Stephen J. Hall MA 9

James R. Kasper

James R. Kasper

Elijah E. Timmings

John W. Oliver

Neil Abernethy

Carolyn M. Conly

Alvin Dooly

Paul A. Brady

Paul A. Brady

Frank Pelly

Therese L. L.

James W. B.

John R. L.

John R. L.

James W. B.

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~~Will Kudry~~
Mark Udall

~~The Hon~~

~~Paul Lampson~~

~~Robert M. Watson~~

~~Ben Cardin~~

~~Chad Fetter~~

~~John Lewis~~

~~Jim Walsh~~

~~Ross~~

~~Gregg L. Smith~~

~~Jim Moran~~

~~Pat G. M.~~

~~Shelley D. Bailey~~
~~G. N. D.~~

~~Mike Row~~

~~Bob Miller~~

~~Pete Stark~~

~~Steve~~

~~Corrine Brown~~

Letter to FEC Commissioners
February 10, 2004

Mr. Mc Donnell

Carolyn C. Kelpke

Edna Bernice Johnson

Chris Bell

Barkun Lee

Juanita Hillenbrand L. Tondel

Shirley Ann Brown

Tom Allen

Lynn C. Culley

Carol B. Haley -

John F. Terry

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Letter to FEC Commissioners
February 10, 2004

Reubin Hankins

[Signature]

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